

File Name ADM-1-1-1 Nov. 1992

Senders Initials JY

**MEETING AGENDA
ENVIRONMENTAL PROTECTION COMMISSION
WALLACE STATE OFFICE BUILDING
DES MOINES, IOWA
November 16, 1992**

Meeting convenes at 10:00 a.m., Monday, November 16, 1992, in the fourth floor conference room.

Public Participation

10:30 a.m.

APPOINTMENTS:

Northwood Co-op (Item #11)
City of Anthon (Item # 12A)

1:30 p.m.

2:00 p.m.

1. Approve Agenda.
2. Approve Minutes of October 19, 1992.
3. Director's Report. (Wilson) Information.
4. Financial Status Report. (Kuhn) Information.
5. Approval of FY94 and FY95 Budget Request. (Kuhn) Decision.
6. Notice of Intended Action--Chapter 211, Regional Collection Centers for Household Hazardous Materials. (Hay) Decision.
7. Monthly Reports. (Stokes) Information.
8. ~~Stream Use Classifications.~~ ^{305 B State Water Quality Report} (Stokes) Information.
9. Intended Use Plan - State Revolving Fund. (Stokes) Information.
10. Final Rule--Chapter 82, Well Contractor Certification. (Stokes) Decision.
11. Contested Case Decision Appeal--Northwood Co-op. (Stokes) Decision.
12. Referrals to the Attorney General. (Stokes) Decision.
 - (a) City of Anthon
 - (b) 63-180 Truckstop/Moore Oil Company
 - (c) Vern Starling
 - (d) Shirley Pecoy d/b/a Joe's Place

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- 13. General Discussion.**
- 14. Address Items for Next Meeting**

NEXT MEETING DATES:

December 21, 1992

January 19, 1992 (Tues.)

February 15, 1992

ENVIRONMENTAL PROTECTION COMMISSION

November 16, 1992

NAME	COMPANY OR AGENCY	CITY
(PLEASE PRINT)		
DAH GFT	G POW MARK	BLOOMINGTON, IL.
Amy Christensen Couch	Sullivan & Ward	DM
Jane McAllister	Ahlens Law firm	DSM
Bonnie Bustad	Ahlens Law Firm	Des Moines
Jack Kennedy	Univ. Hygiene Lab.	Des Moines
Rob Borthert	CRGzette	DM
Jack Seem	ABI	D.M.
Jack Clark	IUA	DM
John Green	S. CITY OF Sioux City	Sioux City
Scott Young	Stanley law firm	Muscatine
Maynard Payne	Sowa Callahan	Ames
DAWN CARLSON	INSTITUTE FOR COOPS	AMES.
Jim Pickett	Amoco	Chicago
Dan Manning	SUN	Des Moines
Gene Olson	SUN	Des Moines
Gary Norton	Northwood Coop. Elevator	Des Moines
Roger Witke	by Whitfield Law Firm	Des Moines
	" " "	" "

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MINUTES
OF THE
ENVIRONMENTAL PROTECTION COMMISSION
MEETING

NOVEMBER 16, 1992

WALLACE STATE OFFICE BUILDING
DES MOINES, IOWA

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MEETING MINUTES

CALL TO ORDER

The meeting of the Environmental Protection Commission was called to order by Chairperson Hartsuck at 10:00 a.m. on November 16, 1992, in the Wallace State Office Building, Des Moines, Iowa.

COMMISSIONERS PRESENT

Verlon Britt
William Ehm
Richard Hartsuck, Chairperson
Rozanne King
Charlotte Mohr
Margaret Prah
Nancylee Siebenmann

COMMISSIONERS ABSENT

Gary Priebe
Clark Yeager

ADOPTION OF AGENDA

The following adjustments were made to the agenda:

- Add: Appointment - City of Anthon (Item # 12A) 2:00 p.m.

Motion was made by Margaret Prah to approve the agenda as amended. Seconded by Rozanne King. Motion carried unanimously.

APPROVED AS AMENDED

APPROVAL OF MINUTES

Motion was made by William Ehm to approve the minutes of October 19, 1992, as presented. Seconded by Rozanne King. Motion carried unanimously.

APPROVED AS PRESENTED

DIRECTOR'S REPORT

Larry Wilson, Director, informed the Commission that he will present the department's budget to the Governor on December 7, at 3:00 p.m. He reported that the department hosted a meeting of

the Midwest Low Level Radioactive Waste Compact Commission last week and asked Teresa Hay to give a report on the meeting.

MIDWEST LOW LEVEL RADIOACTIVE WASTE COMPACT COMMISSION REPORT

Teresa Hay reported that one of the most significant items handled at the meeting was approval of the signing of a contract with the Southeast Compact Commission to allow generators in the Midwest Compact continued access to the disposal facility in Barnwell, South Carolina. Access will be provided at Barnwell until July 1, 1994. Effective January 1, 1993, the facility in Nevada will permanently close, and the facility in Richmond, Washington will close its doors except to generators in the Northwest and Rocky Mountain Compacts. The Commission also approved a \$97,000 budget for the state of Ohio to proceed with a blue ribbon commission to look at the need for a siting facility in Ohio. They must submit a report to the Ohio General Assembly by the end of March, 1993.

Chairperson Hartsuck commented that he attended the meeting and found it very interesting from a technical point of view. He added that he was very impressed with Teresa Hay who serves as chairperson of the Midwest Compact.

FINANCIAL STATUS REPORT - YTD DIVISION EXPENDITURES

Mark Slatterly, Bureau Chief, Budget and Grants Bureau, presented the following item.

Attached are two division level expenditure status reports. One is a summary of expenditures as compared to budget for last fiscal year (FY92). The other is a Year-to-Date division expenditure report as of October 30, 1992 (the first quarter of FY93).

The report for FY92 shows, by division, the total annual expenditures as compared to the budget in three columns. Overall, the DNR reverted approximately \$226,000 to the State General Fund at the end of FY92 from operations related appropriations. Earmarked funds not spent reverted to their respective sources. This report may also be useful for comparing actual expenditures to the FY93 budget and the FY94 and FY95 requests in the budget approval item.

The report for the first quarter of FY93 shows division expenditure information in a five column format. The Year-To-Date plan is simply the annual budget times the percentage of the year completed. Because the backpay for contract job classes is reflected in the first quarter, most salary budgets appear to be "over." This "overage" should disappear as the year progresses. Salaries in the Parks division are also considerably over budget due to normal seasonal expenses during the first quarter. Again, this is due to the presentation format and not to expenditure concerns in that division.

Environmental Protection Commission Minutes

November 1992

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IOWA DEPARTMENT OF NATURAL RESOURCES
SUMMARY OF EXPENDITURES VS. ANNUAL BUDGET
1992 FISCAL YEAR

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REVISED

	TOTAL EXPENDITURES	ANNUAL BUDGET	OVER/UNDER YEAR-TO-DATE
1000 DIRECTOR'S OFFICE			
101 PERSONAL SERVICES	203,873.61	167,531.00	36,342.61
202 IN-STATE TRAVEL	21,049.05	37,000.00	15,950.95-
205 OUT-STATE TRAVEL	1,365.95	3,000.00	1,634.05-
301 OFFICE SUPPLIES	1,547.72	2,000.00	452.28-
303 EQUIPMENT MAINTENANCE SUP	1,246.22	750.00	496.22
308 OTHER SUPPLIES	45.64	1,200.00	1,154.36-
309 PRINTING & BINDING	10,890.81	14,000.00	3,109.19-
401 COMMUNICATIONS	5,256.41	3,000.00	2,256.41
406 OUTSIDE SERVICES	2,508.51	2,000.00	508.51
410 DATA PROCESSING	2,112.94	4,800.00	2,687.06-
414 REIMBURSEMENTS TO OTHER A	139.80	750.00	610.20-
501 EQUIPMENT	5,598.84	3,874.00	1,724.84
602 OTHER EXPENSES&OBLIGATION	50.00	0.00	50.00
DIVISION TOTAL	255,685.50	239,905.00	15,780.50

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IOWA DEPARTMENT OF NATURAL RESOURCES
SUMMARY OF EXPENDITURES VS. ANNUAL BUDGET
1992 FISCAL YEAR

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	TOTAL EXPENDITURES	ANNUAL BUDGET	OVER/UNDER YEAR-TO-DATE
2000 COORDINATION AND INFORMATION			
101 PERSONAL SERVICES	1,186,262.92	1,283,115.00	96,852.08-
202 IN-STATE TRAVEL	19,552.29	22,000.00	2,447.71-
203 STATE VEHICLE OPERATION	5,975.91	8,721.00	2,745.09-
204 STATE VEHICLE DEPRECIATIO	8,360.00	12,460.00	4,100.00-
205 OUT-STATE TRAVEL	5,721.10	9,750.00	4,028.90-
301 OFFICE SUPPLIES	96,974.10	102,350.00	5,375.90-
302 FACILITY MAINTENANCE SUPP	8,081.69	4,000.00	4,081.69
303 EQUIPMENT MAINTENANCE SUP	3,500.00	3,000.00	500.00
308 OTHER SUPPLIES	48,187.20	65,555.00	17,367.80-
309 PRINTING & BINDING	308,651.29	362,593.00	53,941.71-
312 UNIFORMS & RELATED ITEMS	383.12	600.00	216.88-
401 COMMUNICATIONS	31,579.59	28,600.00	2,979.59
402 RENTALS	1,368.80	2,000.00	631.20-
403 UTILITIES	214.98	750.00	535.02-
405 PROF & SCIENTIFIC SERVICE	314.15	8,200.00	7,885.85-
406 OUTSIDE SERVICES	48,292.84	59,100.00	10,807.16-
408 ADVERTISING & PUBLICITY	8.75	6,135.00	6,126.25-
410 DATA PROCESSING	16,061.63	13,450.00	2,611.63
414 REIMBURSEMENTS TO OTHER A	4,215.44	5,000.00	784.56-
501 EQUIPMENT	11,148.39	15,400.00	4,251.61-
602 OTHER EXPENSES&OBLIGATION	4,589.00	0.00	4,589.00
DIVISION TOTAL	1,809,443.19	2,012,779.00	203,335.81-

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IOWA DEPARTMENT OF NATURAL RESOURCES
SUMMARY OF EXPENDITURES VS. ANNUAL BUDGET
1992 FISCAL YEAR

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	TOTAL EXPENDITURES	ANNUAL BUDGET	OVER/UNDER YEAR-TO-DATE
3000 ADMINISTRATIVE SERVICES DIV.			
101 PERSONAL SERVICES	3,572,760.67	3,951,473.00	378,712.33-
202 IN-STATE TRAVEL	51,920.69	56,000.00	4,079.31-
203 STATE VEHICLE OPERATION	50,393.86	60,500.00	10,106.14-
204 STATE VEHICLE DEPRECIATIO	69,725.00	74,200.00	4,475.00-
205 OUT-STATE TRAVEL	1,998.24	1,800.00	198.24
301 OFFICE SUPPLIES	293,787.56	338,600.00	44,812.44-
302 FACILITY MAINTENANCE SUPP	16,349.48	6,000.00	10,349.48
303 EQUIPMENT MAINTENANCE SUP	49,106.51	52,000.00	2,893.49-
308 OTHER SUPPLIES	15,544.16	11,700.00	3,844.16
309 PRINTING & BINDING	15,232.00	21,300.00	6,068.00-
312 UNIFORMS & RELATED ITEMS	3,942.29	3,200.00	742.29
401 COMMUNICATIONS	87,005.52	79,800.00	7,205.52
402 RENTALS	497.50	500.00	2.50-
406 OUTSIDE SERVICES	43,381.81	51,900.00	8,518.19-
408 ADVERTISING & PUBLICITY	101.50	500.00	398.50-
410 DATA PROCESSING	106,540.30	106,500.00	40.30
412 AUDITOR OF STATE REIMBURS	146,201.02	85,000.00	61,201.02
414 REIMBURSEMENTS TO OTHER A	27,632.85	46,500.00	18,867.15-
501 EQUIPMENT	132,913.55	181,798.00	48,884.45-
602 OTHER EXPENSES&OBLIGATION	10,650.22	0.00	10,650.22
701 LICENSES	100.00	50.00	50.00
DIVISION TOTAL	4,695,784.73	5,129,321.00	433,536.27-

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IOWA DEPARTMENT OF NATURAL RESOURCES
SUMMARY OF EXPENDITURES VS. ANNUAL BUDGET
1992 FISCAL YEAR

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	TOTAL EXPENDITURES	ANNUAL BUDGET	OVER/UNDER YEAR-TO-DATE
4000 PARKS, PRES. & RECREATION DIV.			
101 PERSONAL SERVICES	5,212,515.73	5,573,330.00	360,814.27-
202 IN-STATE TRAVEL	74,123.97	84,599.00	10,475.03-
203 STATE VEHICLE OPERATION	186,093.27	192,500.00	6,406.73-
204 STATE VEHICLE DEPRECIATIO	240,770.00	232,697.00	8,073.00
205 OUT-STATE TRAVEL	2,503.73	4,415.00	1,911.27-
301 OFFICE SUPPLIES	30,991.10	47,950.00	16,958.90-
302 FACILITY MAINTENANCE SUPP	440,559.32	421,404.00	19,155.32
303 EQUIPMENT MAINTENANCE SUP	304,717.19	291,250.00	13,467.19
307 AG., CONSERVATION & HORT S	26,443.51	21,500.00	4,943.51
308 OTHER SUPPLIES	36,531.84	38,694.00	2,162.16-
309 PRINTING & BINDING	20,905.44	32,500.00	11,594.56-
312 UNIFORMS & RELATED ITEMS	42,450.39	53,179.00	10,728.61-
401 COMMUNICATIONS	97,010.79	99,002.00	1,991.21-
402 RENTALS	29,726.29	29,350.00	376.29
403 UTILITIES	436,893.79	378,451.00	58,442.79
405 PROF & SCIENTIFIC SERVICE	62,821.45	85,055.00	22,233.55-
406 OUTSIDE SERVICES	192,739.35	213,000.00	20,260.65-
408 ADVERTISING & PUBLICITY	1,227.88	2,050.00	822.12-
410 DATA PROCESSING	4,854.92	10,000.00	5,145.08-
414 REIMBURSEMENTS TO OTHER A	18,952.99	5,500.00	13,452.99
501 EQUIPMENT	102,522.36	131,000.00	28,477.64-
602 OTHER EXPENSES&OBLIGATION	45,960.10	2,700.00	43,260.10
701 LICENSES	2,105.00	1,498.00	607.00
DIVISION TOTAL	7,613,420.41	7,951,624.00	338,203.59-

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IOWA DEPARTMENT OF NATURAL RESOURCES
SUMMARY OF EXPENDITURES VS. ANNUAL BUDGET
1992 FISCAL YEAR

	TOTAL EXPENDITURES	ANNUAL BUDGET	OVER/UNDER YEAR-TO-DATE
5000 FORESTRY DIVISION			
101 PERSONAL SERVICES	1,635,065.81	1,962,174.00	327,108.19-
202 IN-STATE TRAVEL	35,045.47	50,939.00	15,893.53-
203 STATE VEHICLE OPERATION	77,862.22	75,000.00	2,862.22
204 STATE VEHICLE DEPRECIATIO	106,440.00	109,580.00	3,140.00-
205 OUT-STATE TRAVEL	1,584.31	3,000.00	1,415.69-
301 OFFICE SUPPLIES	27,120.54	20,900.00	6,220.54
302 FACILITY MAINTENANCE SUPP	45,711.11	38,500.00	7,211.11
303 EQUIPMENT MAINTENANCE SUP	54,666.29	58,100.00	3,433.71-
307 AG., CONSERVATION & HORT S	205,105.95	89,223.00	115,882.95
308 OTHER SUPPLIES	46,140.65	49,500.00	3,359.35-
309 PRINTING & BINDING	11,792.25	16,400.00	4,607.75-
312 UNIFORMS & RELATED ITEMS	13,596.45	16,100.00	2,503.55-
401 COMMUNICATIONS	38,138.21	34,800.00	3,338.21
402 RENTALS	36,596.97	30,000.00	6,596.97
403 UTILITIES	31,269.76	32,500.00	1,230.24-
405 PROF & SCIENTIFIC SERVICE	4,420.42	76,000.00	71,579.58-
406 OUTSIDE SERVICES	55,137.48	40,500.00	14,637.48
408 ADVERTISING & PUBLICITY	1,740.82	900.00	840.82
410 DATA PROCESSING	2,525.22	1,100.00	1,425.22
501 EQUIPMENT	102,909.64	152,043.00	49,133.36-
602 OTHER EXPENSES&OBLIGATION	8,381.00	0.00	8,381.00
DIVISION TOTAL	2,541,250.57	2,857,259.00	316,008.43-

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IOWA DEPARTMENT OF NATURAL RESOURCES
SUMMARY OF EXPENDITURES VS. ANNUAL BUDGET
1992 FISCAL YEAR

	TOTAL EXPENDITURES	ANNUAL BUDGET	OVER/UNDER YEAR-TO-DATE
6000 ENERGY & GEOLOGICAL RESOURCES			
101 PERSONAL SERVICES	2,163,630.86	2,434,505.00	270,874.14-
202 IN-STATE TRAVEL	29,152.53	52,454.00	23,301.47-
203 STATE VEHICLE OPERATION	21,412.99	26,000.00	4,587.01-
204 STATE VEHICLE DEPRECIATIO	29,340.00	29,700.00	360.00-
205 OUT-STATE TRAVEL	12,772.76	16,850.00	4,077.24-
301 OFFICE SUPPLIES	18,266.43	15,629.00	2,637.43
302 FACILITY MAINTENANCE SUPP	196.53	1,350.00	1,153.47-
303 EQUIPMENT MAINTENANCE SUP	9,920.34	18,500.00	8,579.66-
304 PROF. & SCIENTIFIC SUPPL	16,839.15	27,000.00	10,160.85-
308 OTHER SUPPLIES	51,767.33	39,861.00	11,906.33
309 PRINTING & BINDING	18,700.68	42,645.00	23,944.32-
401 COMMUNICATIONS	38,309.33	34,260.00	4,049.33
402 RENTALS	2,160.00	2,400.00	240.00-
403 UTILITIES	13,442.34	13,175.00	267.34
405 PROF & SCIENTIFIC SERVICE	870,765.93	822,620.00	48,145.93
406 OUTSIDE SERVICES	58,667.62	30,160.00	28,507.62
408 ADVERTISING & PUBLICITY	231.00	0.00	231.00
410 DATA PROCESSING	19,790.14	18,600.00	1,190.14
414 REIMBURSEMENTS TO OTHER A	4,107.38	7,090.00	2,982.62-
501 EQUIPMENT	112,447.63	173,157.00	60,709.37-
602 OTHER EXPENSES&OBLIGATION	16,236.00	0.00	16,236.00
DIVISION TOTAL	3,508,156.97	3,805,956.00	297,799.03-

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SUMMARY OF EXPENDITURES VS. ANNUAL BUDGET
1992 FISCAL YEAR

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	TOTAL EXPENDITURES	ANNUAL BUDGET	OVER/UNDER YEAR-TO-DATE
7000 ENVIRONMENTAL PROTECTION DIV.			
101 PERSONAL SERVICES	6,172,063.46	6,920,643.00	748,579.54-
202 IN-STATE TRAVEL	63,103.56	122,050.00	58,946.44-
203 STATE VEHICLE OPERATION	38,478.05	62,200.00	23,721.95-
204 STATE VEHICLE DEPRECIATIO	59,095.00	66,000.00	6,905.00-
205 OUT-STATE TRAVEL	34,997.14	36,000.00	1,002.86-
301 OFFICE SUPPLIES	59,505.47	56,600.00	2,905.47
302 FACILITY MAINTENANCE SUPP	2,009.87	2,650.00	640.13-
303 EQUIPMENT MAINTENANCE SUP	13,037.57	14,300.00	1,262.43-
304 PROF. & SCIENTIFIC SUPPL	35.12	1,000.00	964.88-
308 OTHER SUPPLIES	24,039.86	23,475.00	564.86
309 PRINTING & BINDING	35,403.60	44,100.00	8,696.40-
312 UNIFORMS & RELATED ITEMS	1,030.49	4,200.00	3,169.51-
401 COMMUNICATIONS	123,277.76	110,700.00	12,577.76
402 RENTALS	53,403.44	55,200.00	1,796.56-
403 UTILITIES	16,837.67	15,100.00	1,737.67
405 PROF & SCIENTIFIC SERVICE	1,230,548.77	1,346,568.00	116,019.23-
406 OUTSIDE SERVICES	34,377.84	43,470.00	9,092.16-
408 ADVERTISING & PUBLICITY	4,556.82	11,900.00	7,343.18-
410 DATA PROCESSING	169,069.71	136,240.00	32,829.71
414 REIMBURSEMENTS TO OTHER A	25,330.48	27,200.00	1,869.52-
501 EQUIPMENT	372,517.18	697,996.00	325,478.82-
602 OTHER EXPENSES&OBLIGATION	25,074.00	300.00	24,774.00
DIVISION TOTAL	8,557,792.86	9,797,892.00	1,240,099.14-

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SUMMARY OF EXPENDITURES VS. ANNUAL BUDGET
1992 FISCAL YEAR

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	TOTAL EXPENDITURES	ANNUAL BUDGET	OVER/UNDER YEAR-TO-DATE
8000 FISH AND WILDLIFE DIVISION			
101 PERSONAL SERVICES	10,832,666.98	11,183,655.00	350,988.02-
202 IN-STATE TRAVEL	326,013.46	311,671.00	14,342.46
203 STATE VEHICLE OPERATION	493,177.63	457,959.00	35,218.63
204 STATE VEHICLE DEPRECIATIO	696,270.00	713,260.00	16,990.00-
205 OUT-STATE TRAVEL	19,346.93	28,000.00	8,653.07-
301 OFFICE SUPPLIES	279,275.75	188,120.00	91,155.75
302 FACILITY MAINTENANCE SUPP	245,327.57	336,744.00	91,416.43-
303 EQUIPMENT MAINTENANCE SUP	363,547.78	349,652.00	13,895.78
307 AG., CONSERVATION & HORT S	270,635.72	321,197.00	50,561.28-
308 OTHER SUPPLIES	125,594.94	84,058.00	41,536.94
309 PRINTING & BINDING	82,554.68	150,776.00	68,221.32-
312 UNIFORMS & RELATED ITEMS	124,127.73	121,821.00	2,306.73
401 COMMUNICATIONS	208,810.88	171,954.00	36,856.88
402 RENTALS	47,369.38	54,492.00	7,122.62-
403 UTILITIES	207,344.11	217,020.00	9,675.89-
405 PROF & SCIENTIFIC SERVICE	113,546.92	139,855.00	26,308.08-
406 OUTSIDE SERVICES	150,766.61	103,330.00	47,436.61
407 INTRA-STATE TRANSFERS	143,843.00	145,125.00	1,282.00-
408 ADVERTISING & PUBLICITY	2,645.25	2,550.00	95.25
410 DATA PROCESSING	49,191.57	44,100.00	5,091.57
414 REIMBURSEMENTS TO OTHER A	164,507.72	139,450.00	25,057.72
501 EQUIPMENT	266,153.03	312,971.00	46,817.97-
602 OTHER EXPENSES&OBLIGATION	204,428.00	800.00	203,628.00
701 LICENSES	65.00	300.00	235.00-
DIVISION TOTAL	15,417,210.64	15,578,860.00	161,649.36-

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1992 FISCAL YEAR

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	TOTAL EXPENDITURES	ANNUAL BUDGET	OVER/UNDER YEAR-TO-DATE
9000 WASTE MANAGEMENT AUTHORITY			
101 PERSONAL SERVICES	412,615.61	620,719.00	208,103.39-
202 IN-STATE TRAVEL	30,255.53	28,460.00	1,795.53
205 OUT-STATE TRAVEL	6,731.82	16,000.00	9,268.18-
301 OFFICE SUPPLIES	4,845.85	18,030.00	13,184.15-
303 EQUIPMENT MAINTENANCE SUP	1,434.12	250.00	1,184.12
308 OTHER SUPPLIES	7,992.52	9,300.00	1,307.48-
309 PRINTING & BINDING	17,610.85	104,123.00	86,512.15-
401 COMMUNICATIONS	13,747.84	25,300.00	11,552.16-
405 PROF & SCIENTIFIC SERVICE	122,196.65	120,458.00	1,738.65
406 OUTSIDE SERVICES	2,806.60	6,950.00	4,143.40-
410 DATA PROCESSING	6,103.05	5,300.00	803.05
414 REIMBURSEMENTS TO OTHER A	15,229.13	18,350.00	3,120.87-
501 EQUIPMENT	28,321.07	25,075.00	3,246.07
602 OTHER EXPENSES&OBLIGATION	4,518.00	0.00	4,518.00
DIVISION TOTAL	674,408.64	998,315.00	323,906.36-

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	TOTAL EXPENDITURES 10/01/92 - 10/31/92	TOTAL EXPENDITURES FY-TO-DATE	YEAR-TO-DATE PLAN	OVER/UNDER YEAR-TO-DATE PLAN	CURRENT ANNUAL BUDGET
1000 DIRECTOR'S OFFICE					
101 PERSONAL SERVICES	69,329.71	347,786.98	340,336.00	7,451.00	1,021,017.00
202 IN-STATE TRAVEL	3,773.48	9,571.39	17,713.00	8,143.00-	53,150.00
203 STATE VEHICLE OPERATION	385.88	1,306.68	2,643.00	1,336.00-	7,931.00
204 STATE VEHICLE DEPRECIATIO	655.00	2,620.00	4,149.00	1,529.00-	12,450.00
205 OUT-STATE TRAVEL	67.72	2,252.87	2,832.00	578.00-	8,500.00
301 OFFICE SUPPLIES	9,417.81	36,538.58	28,014.00	8,525.00	84,050.00
302 FACILITY MAINTENANCE SUPP	22.60	29.65	666.00	636.00-	2,000.00
303 EQUIPMENT MAINTENANCE SUP	381.90	1,336.70	1,583.00	246.00-	4,750.00
308 OTHER SUPPLIES	3,941.78	6,595.93	21,674.00	15,079.00-	65,030.00
309 PRINTING & BINDING	28,275.38	55,979.18	85,279.00	29,300.00-	255,843.00
401 COMMUNICATIONS	2,767.99	5,163.66	9,066.00	3,902.00-	27,200.00
402 RENTALS	40.00	155.00	166.00	11.00-	500.00
403 UTILITIES	33.21	56.86	250.00	193.00-	750.00
405 PROF & SCIENTIFIC SERVICE	15.16	7,535.87	16,066.00	8,531.00-	48,200.00
406 OUTSIDE SERVICES	1,858.97	4,076.20	7,000.00	2,924.00-	21,000.00
501 EQUIPMENT	3,905.68	4,422.00	1,442.00	2,980.00	4,326.00
621 BACK PAY INTEREST	0.00	359.37	0.00	358.00	0.00
DIVISION TOTAL	124,872.27	485,786.92	538,879.00	53,094.00-	1,616,697.00

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	TOTAL EXPENDITURES 10/01/92 - 10/31/92	TOTAL EXPENDITURES FY-TO-DATE	YEAR-TO-DATE PLAN	OVER/UNDER YEAR-TO-DATE PLAN	CURRENT ANNUAL BUDGET
3000 ADMINISTRATIVE SERVICES DIV.					
101 PERSONAL SERVICES	270,612.35	1,403,567.56	1,355,992.00	47,576.00	4,067,986.00
202 IN-STATE TRAVEL	3,926.67	10,412.95	15,898.00	5,486.00-	47,700.00
203 STATE VEHICLE OPERATION	5,361.68	18,394.15	20,166.00	1,772.00-	60,500.00
204 STATE VEHICLE DEPRECIATIO	5,940.00	23,710.00	24,733.00	1,023.00-	74,200.00
205 OUT-STATE TRAVEL	1,023.95	1,209.07	599.00	610.00	1,800.00
301 OFFICE SUPPLIES	30,997.86	83,909.42	106,697.00	22,788.00-	320,100.00
302 FACILITY MAINTENANCE SUPP	74.00	285.88	10,333.00	10,048.00-	31,000.00
303 EQUIPMENT MAINTENANCE SUP	1,969.35	8,711.72	15,666.00	6,954.00-	47,000.00
308 OTHER SUPPLIES	1,443.67	2,596.39	4,563.00	1,966.00-	13,700.00
309 PRINTING & BINDING	1,119.20	2,621.40	4,163.00	1,541.00-	12,500.00
312 UNIFORMS & RELATED ITEMS	104.49	104.49	666.00	562.00-	2,000.00
401 COMMUNICATIONS	10,489.98	19,427.58	31,032.00	11,604.00-	93,100.00
406 OUTSIDE SERVICES	389.55	1,454.14	12,997.00	11,544.00-	39,000.00
410 DATA PROCESSING	97,585.58	130,849.51	16,666.00	114,184.00-	50,000.00
501 EQUIPMENT	3,207.76	21,506.87	47,166.00	25,659.00-	141,500.00
602 OTHER EXPENSES & OBLIGATI	0.00	26.14	0.00	26.00	0.00
621 BACK PAY INTEREST	0.00	2,177.53	0.00	2,178.00	0.00
DIVISION TOTAL	434,246.09	1,730,964.80	1,667,337.00	63,627.00	5,002,086.00

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	TOTAL EXPENDITURES 10/01/92 - 10/31/92	TOTAL EXPENDITURES FY-TO-DATE	YEAR-TO-DATE PLAN	OVER/UNDER YEAR-TO-DATE PLAN	CURRENT ANNUAL BUDGET
4000 PARKS, PRES. & RECREATION DIV.					
101 PERSONAL SERVICES	366,055.51	2,292,700.43	1,899,052.00	393,649.00	5,697,167.00
202 IN-STATE TRAVEL	7,471.03	10,504.78	23,080.00	12,576.00-	69,250.00
203 STATE VEHICLE OPERATION	23,716.37	80,650.16	66,755.00	13,896.00	200,270.00
204 STATE VEHICLE DEPRECIATIO	24,325.00	99,740.00	95,799.00	3,941.00	287,400.00
205 OUT-STATE TRAVEL	93.56	678.56	500.00	179.00	1,500.00
301 OFFICE SUPPLIES	5,724.91	13,780.67	14,399.00	618.00-	43,200.00
302 FACILITY MAINTENANCE SUPP	58,751.46	157,436.70	153,429.00	4,008.00	460,300.00
303 EQUIPMENT MAINTENANCE SUP	22,403.83	96,770.07	96,915.00	144.00-	290,750.00
307 AG., CONSERVATION & HORT S	129.88	1,750.50	7,166.00	5,415.00-	21,500.00
308 OTHER SUPPLIES	3,314.00	10,486.98	14,227.00	3,741.00-	42,694.00
309 PRINTING & BINDING	1,116.80	1,234.95	11,498.00	10,263.00-	34,500.00
312 UNIFORMS & RELATED ITEMS	619.48	753.40	12,854.00	12,101.00-	38,568.00
401 COMMUNICATIONS	8,343.69	23,270.93	34,998.00	11,726.00-	105,002.00
402 RENTALS	7,575.00	13,254.25	9,950.00	3,304.00	29,850.00
403 UTILITIES	59,009.23	113,207.21	126,982.00	13,775.00-	380,951.00
405 PROF & SCIENTIFIC SERVICE	0.00	4,669.20	5,999.00	1,330.00-	18,000.00
406 OUTSIDE SERVICES	12,809.62	53,051.27	61,615.00	8,563.00-	184,852.00
408 ADVERTISING & PUBLICITY	189.78	477.22	682.00	205.00-	2,050.00
414 REIMBURSEMENTS TO OTHER A	127.91	127.91	166.00	38.00-	500.00
501 EQUIPMENT	21,787.36	49,396.51	41,332.00	8,064.00	124,000.00
602 OTHER EXPENSES & OBLIGATI	25.65	2,143.65	666.00	1,478.00	2,000.00
621 BACK PAY INTEREST	0.00	365.53	0.00	364.00	0.00
701 LICENSES	0.00	125.00	132.00	7.00-	398.00
DIVISION TOTAL	623,590.07	3,026,575.88	2,678,196.00	348,381.00	8,034,702.00

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	TOTAL EXPENDITURES 10/01/92 - 10/31/92	TOTAL EXPENDITURES FY-TO-DATE	YEAR-TO-DATE PLAN	OVER/UNDER YEAR-TO-DATE PLAN	CURRENT ANNUAL BUDGET
5000 FORESTRY DIVISION					
101 PERSONAL SERVICES	122,029.03	597,903.72	644,824.00	46,919.00-	1,934,480.00
202 IN-STATE TRAVEL	5,542.61	10,822.70	13,330.00	2,508.00-	40,000.00
203 STATE VEHICLE OPERATION	6,721.51	24,623.10	28,497.00	3,873.00-	85,500.00
204 STATE VEHICLE DEPRECIATIO	11,070.00	44,280.00	48,039.00	3,759.00-	144,120.00
205 OUT-STATE TRAVEL	242.30	1,216.23	1,665.00	449.00-	5,000.00
301 OFFICE SUPPLIES	615.64	3,583.75	7,431.00	3,848.00-	22,300.00
302 FACILITY MAINTENANCE SUPP	3,730.83	8,140.27	12,997.00	4,856.00-	39,000.00
303 EQUIPMENT MAINTENANCE SUP	2,488.49	10,728.91	19,498.00	8,770.00-	58,500.00
307 AG., CONSERVATION & HORT S	23,986.79	24,159.44	27,332.00	3,172.00-	82,000.00
308 OTHER SUPPLIES	351.79	1,007.84	15,665.00	14,657.00-	47,000.00
309 PRINTING & BINDING	2,414.05	3,203.20	5,199.00	1,996.00-	15,600.00
312 UNIFORMS & RELATED ITEMS	186.67	355.15	2,332.00	1,977.00-	7,000.00
401 COMMUNICATIONS	3,005.27	7,565.45	13,130.00	5,565.00-	39,400.00
402 RENTALS	5,690.71	6,048.46	12,332.00	6,284.00-	37,000.00
403 UTILITIES	604.15	3,637.79	10,598.00	6,959.00-	31,800.00
406 OUTSIDE SERVICES	846.90	5,424.56	12,833.00	7,408.00-	38,500.00
408 ADVERTISING & PUBLICITY	0.00	30.90	166.00	135.00-	500.00
501 EQUIPMENT	2,685.98	8,939.22	17,799.00	8,859.00-	53,400.00
621 BACK PAY INTEREST	0.00	389.00	0.00	389.00	0.00
DIVISION TOTAL	192,212.72	762,059.69	893,667.00	131,605.00-	2,681,100.00

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IOWA DEPARTMENT OF NATURAL RESOURCES SUMMARY OF EXPENDITURES VS. YEAR-TO-DATE PLAN AS OF 10/31/92

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	TOTAL EXPENDITURES 10/01/92 - 10/31/92	TOTAL EXPENDITURES FY-TO-DATE	YEAR-TO-DATE PLAN	OVER/UNDER YEAR-TO-DATE PLAN	CURRENT ANNUAL BUDGET
6000 ENERGY & GEOLOGICAL RESOURCES					
101 PERSONAL SERVICES	166,621.73	839,813.36	818,371.00	21,442.00	2,455,144.00
202 IN-STATE TRAVEL	2,901.60	6,537.49	8,492.00	1,956.00-	25,489.00
203 STATE VEHICLE OPERATION	2,312.19	6,991.62	6,949.00	43.00	20,850.00
204 STATE VEHICLE DEPRECIATIO	2,480.00	9,885.00	11,190.00	1,305.00-	33,570.00
205 OUT-STATE TRAVEL	2,291.50	6,597.39	6,464.00	133.00	19,400.00
301 OFFICE SUPPLIES	155.92-	5,102.74	4,760.00	343.00	14,299.00
303 EQUIPMENT MAINTENANCE SUP	739.43	1,260.14	966.00	295.00	2,900.00
304 PROF. & SCIENTIFIC SUPPL	66.85	225.65	398.00	173.00-	1,200.00
308 OTHER SUPPLIES	6,181.64	9,539.01	11,583.00	2,041.00-	34,759.00
309 PRINTING & BINDING	1,525.80	3,472.64	9,562.00	6,090.00-	28,700.00
401 COMMUNICATIONS	3,428.39	9,610.22	11,245.00	1,635.00-	33,750.00
402 RENTALS	175.00	700.00	800.00	100.00-	2,400.00
403 UTILITIES	996.39	2,607.33	4,239.00	1,632.00-	12,720.00
405 PROF & SCIENTIFIC SERVICE	27,162.81	27,162.81	143,746.00	116,583.00-	431,240.00
406 OUTSIDE SERVICES	948.07	6,452.00	6,384.00	65.00	19,170.00
501 EQUIPMENT	0.00	7,263.53	5,332.00	1,932.00	16,000.00
621 BACK PAY INTEREST	0.00	481.77	0.00	483.00	0.00
DIVISION TOTAL	217,675.48	943,702.70	1,050,481.00	106,779.00-	3,151,591.00

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	TOTAL EXPENDITURES 10/01/92 - 10/31/92	TOTAL EXPENDITURES FY-TO-DATE	YEAR-TO-DATE PLAN	OVER/UNDER YEAR-TO-DATE PLAN	CURRENT ANNUAL BUDGET
7000 ENVIRONMENTAL PROTECTION DIV.					
101 PERSONAL SERVICES	503,643.54	2,453,257.30	2,543,843.00	90,585.00-	7,631,563.00
202 IN-STATE TRAVEL	7,394.83	13,098.72	38,151.00	25,052.00-	114,470.00
203 STATE VEHICLE OPERATION	3,274.69	13,399.34	18,832.00	5,433.00-	56,500.00
204 STATE VEHICLE DEPRECIATIO	5,105.00	20,420.00	21,666.00	1,246.00-	65,000.00
205 OUT-STATE TRAVEL	3,635.59	8,342.53	31,329.00	22,988.00-	94,000.00
301 OFFICE SUPPLIES	3,669.41	15,811.03	20,355.00	4,544.00-	61,100.00
302 FACILITY MAINTENANCE SUPP	42.33	11,051.46	699.00	10,353.00	2,100.00
303 EQUIPMENT MAINTENANCE SUP	872.34	1,087.84	2,299.00	1,211.00-	6,900.00
308 OTHER SUPPLIES	2,541.14	9,161.03	11,110.00	1,951.00-	33,350.00
309 PRINTING & BINDING	5,333.30	21,532.45	17,806.00	3,725.00-	53,440.00
312 UNIFORMS & RELATED ITEMS	247.40	247.40	499.00	252.00-	1,500.00
401 COMMUNICATIONS	14,300.52	35,466.09	45,540.00	10,073.00-	136,636.00
402 RENTALS	264.33	11,874.42	20,100.00	8,226.00-	60,300.00
403 UTILITIES	943.81	2,722.27	5,881.00	3,159.00-	17,645.00
405 PROF & SCIENTIFIC SERVICE	13,155.56	21,520.84	245,674.00	224,153.00-	737,030.00
406 OUTSIDE SERVICES	16,137.57	19,906.08	27,486.00	7,581.00-	82,470.00
408 ADVERTISING & PUBLICITY	273.51	775.06	3,464.00	2,688.00-	10,400.00
410 DATA PROCESSING	4,973.30	5,033.30	1,106.00	3,927.00-	3,320.00
414 REIMBURSEMENTS TO OTHER A	240.00	240.00	2,665.00	2,425.00-	8,000.00
501 EQUIPMENT	95,685.13	139,401.78	51,959.00	87,442.00	155,887.00
602 OTHER EXPENSES & OBLIGATI	0.00	26.14	0.00	26.00	0.00
621 BACK PAY INTEREST	0.00	697.29	0.00	698.00	0.00
DIVISION TOTAL	681,733.30	2,805,072.37	3,110,464.00	305,396.00-	9,331,611.00

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	TOTAL EXPENDITURES 10/01/92 - 10/31/92	TOTAL EXPENDITURES FY-TO-DATE	YEAR-TO-DATE PLAN	OVER/UNDER YEAR-TO-DATE PLAN	CURRENT ANNUAL BUDGET
8000 FISH AND WILDLIFE DIVISION					
101 PERSONAL SERVICES	842,924.43	4,395,906.54	4,128,943.00	266,965.00	12,386,876.00
202 IN-STATE TRAVEL	29,688.03	87,176.75	104,487.00	17,314.00-	313,502.00
203 STATE VEHICLE OPERATION	42,547.26	163,180.76	152,345.00	10,836.00	457,079.00
204 STATE VEHICLE DEPRECIATIO	57,410.00	232,880.00	243,788.00	10,908.00-	731,387.00
205 OUT-STATE TRAVEL	5,351.09	11,416.02	9,664.00	1,753.00	29,000.00
301 OFFICE SUPPLIES	27,059.13	64,369.93	68,565.00	4,194.00-	205,720.00
302 FACILITY MAINTENANCE SUPP	13,022.39	45,928.78	101,796.00	55,866.00-	305,424.00
303 EQUIPMENT MAINTENANCE SUP	33,316.95	114,699.15	114,493.00	204.00	343,527.00
307 AG., CONSERVATION & HORT S	39,771.28	86,031.40	99,550.00	13,521.00-	298,670.00
308 OTHER SUPPLIES	8,339.58	26,890.11	27,213.00	324.00-	81,683.00
309 PRINTING & BINDING	17,081.59	24,493.64	41,899.00	17,405.00-	125,706.00
312 UNIFORMS & RELATED ITEMS	6,225.34	12,374.03	30,668.00	18,291.00-	92,025.00
401 COMMUNICATIONS	19,246.33	55,594.33	59,543.00	3,947.00-	178,655.00
402 RENTALS	8,424.04	15,818.67	16,127.00	307.00-	48,392.00
403 UTILITIES	14,006.38	44,485.49	73,450.00	28,965.00-	220,370.00
405 PROF & SCIENTIFIC SERVICE	500.00	50,889.00	33,333.00	17,556.00	100,000.00
406 OUTSIDE SERVICES	16,980.59	33,370.89	42,317.00	8,947.00-	126,980.00
408 ADVERTISING & PUBLICITY	0.00	44.12	200.00	156.00-	600.00
501 EQUIPMENT	87,843.63	153,474.95	82,773.00	70,702.00	248,340.00
602 OTHER EXPENSES & OBLIGATI	36.05	36.05	200.00	164.00-	600.00
621 BACK PAY INTEREST	0.00	5,155.68	0.00	5,158.00	0.00
DIVISION TOTAL	1,269,774.09	5,624,216.29	5,431,354.00	192,865.00	16,294,536.00

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	TOTAL EXPENDITURES 10/01/92 - 10/31/92	TOTAL EXPENDITURES FY-TO-DATE	YEAR-TO-DATE PLAN	OVER/UNDER YEAR-TO-DATE PLAN	CURRENT ANNUAL BUDGET
9000 WASTE MANAGEMENT AUTHORITY					
101 PERSONAL SERVICES	44,491.76	195,842.30	242,204.00	46,362.00-	726,618.00
202 IN-STATE TRAVEL	1,520.49	4,598.48	10,530.00	5,932.00-	31,600.00
205 OUT-STATE TRAVEL	1,152.82	5,054.23	5,898.00	844.00-	17,700.00
301 OFFICE SUPPLIES	52.57	532.79	2,386.00	1,854.00-	7,160.00
302 FACILITY MAINTENANCE SUPP	582.54	752.94	90.00	663.00	270.00
308 OTHER SUPPLIES	414.00	900.46	5,048.00	4,148.00-	15,150.00
309 PRINTING & BINDING	215.10	4,276.90	18,499.00	14,223.00-	55,500.00
401 COMMUNICATIONS	2,109.52	10,805.59	8,217.00	2,589.00	24,655.00
405 PROF & SCIENTIFIC SERVICE	0.00	933.05	28,333.00	27,400.00-	85,000.00
406 OUTSIDE SERVICES	2,987.24	3,074.54	1,228.00	1,846.00	3,685.00
621 BACK PAY INTEREST	0.00	75.42	0.00	76.00	0.00
DIVISION TOTAL	53,526.04	226,846.70	322,433.00	95,589.00-	967,338.00

Mr. Slatterly explained that a revised copy of the FY 92 status report was distributed to each Commissioner. He gave a brief explanation of the reports.

INFORMATIONAL ONLY

APPROVAL OF FY94 AND FY95 BUDGET REQUEST

Mark Slatterly, Bureau Chief, Budget and Grants Bureau, presented the following item.

The Environmental Protection Commission is requested to approve submittal of the budget request for FY94 and FY95 as contained on the attached financial schedules, and priority lists. This approval relates to the areas under the authority of the EPC.

The staff is recommending, with few exceptions, that programs be continued at the FY93 funding levels for FY94 and FY95. The General Fund request for operations is \$12,984,019 for FY94 and \$13,065,725 for FY95. The comparable General Fund total for FY93 operations is \$12,783,164.

An appropriation of \$19,933,807 for FY94 and \$20,009,752 for FY95 is requested for Fish and Wildlife division operations and related administrative support. This compares to an appropriation for \$19,731,921 for the same purposes in FY93.

In addition to funding the current level of operations, the staff is recommending an addition to the Fish and Wildlife budget of \$410,000 each year for increased equipment purchases and maintenance. An increase in General Fund appropriations is requested for Solid Waste Management purposes within the Environmental Protection division of \$228,159 in FY94 and \$233,382 in FY95. This does not represent a program expansion. Rather, Solid Waste had been funded with Oil Overcharge funds previously, but that source is no longer available.

The remainder of the operations budget is funded with a variety of fees and Groundwater fund sources.

Department-wide and division level schedules showing the revenues and expenditures estimated and requested for FY94 and FY95 as compared to the FY93 budget are attached. Also included are the operational priority schedules, department-wide and by division. These priority schedules present the budget request in a priority array. The "base" or highest priority is equal to approximately 75% of the FY93 budget. The remaining 25% of the budget request is arrayed in "decision packages" from the "base" to the total of the request. Priority #28 is the lowest priority package requested.

Some EPD and WMA programs are funded through the Groundwater fund along with related administrative support. Other groundwater programs are funded directly from the appropriate account within the Groundwater fund. The staff is recommending that the groundwater fund and related programs continue at current funding levels as provided by existing statutes. A separate financial schedule outlining the Groundwater funding and program is included.

Budget information on equipment purchases will be available in Central Office for your review prior to the meeting. These are the same schedules that are presented with the budget request to DOM. The schedules are intended only to portray the general types and quantities of expected purchases.

The staff is also recommending that special programs including the Green Thumb program, Marine Fuel Tax grants, Fish and Wildlife grants, and similar programs continue to be funded at FY93 levels. Schedules are not attached for these programs.

Funding for the REAP program, overall, is recommended at \$10 million per year, similar to FY93 funding.

(Financial schedules and priority lists are shown on the following 12 pages)

NATURAL RESOURCES, DEPARTMENT OF
NATURAL RESOURCES
NATURAL RESOURCES DEPARTMENT OPERATIONS
93001542672

STATE OF IOWA
DEPARTMENT OF MANAGEMENT
BUDGET WORKSHEETS FOR 1992-1994 BIENNIIUM
BU / FUND - BUDGET COMPARISON

SCHEDULE 6 BU/F RECAP
(BUDGET COMPARISON)
DATE 10/15/92 TIME 23.13.57
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	DEPT REVISED FY 1992-93	TOTAL DEPT FY 1993-94	TOTAL DEPT FY 1994-95			
RESOURCES						
APPROPRIATIONS						
GMF-BIG SPRINGS MONITORING-D	\$ 467,468	\$ 471,618	\$ 475,731	\$		\$
GMF-GEN'L PROVISIONS-DNR	281,935	78,966	78,965			
GMF-STORAGE TANKS STUDY-DNR	190,556	197,069	206,000			
GMF-HOUSEHOLD HAZ WASTE-DNR	209,596	211,242	213,301			
GMF-WELL TESTING ADMIN 2%-DN	62,874	63,106	63,106			
GMF-GMTR MONITORING-DNR	1,430,391	1,463,807	1,496,389			
GMF-LANDFILL ALTERNATIVES-DN	161,773	207,517	211,400			
GF-NATURAL RESOURCES OPERATIONS		12,984,019	13,065,725			
APPROPRIATIONS SUBTOTAL	2,804,593	15,677,544	15,810,617			
RECEIPTS						
FEDERAL SUPPORT	9,434,303	9,526,807	9,606,384			
INTRA STATE RECEIPTS	6,027,493	6,017,718	6,065,105			
REIMB. FROM OTHER AGENCIES	114,091	114,300	114,300			
FEES, LICENSES & PERMITS	105,189	104,781	104,299			
REFUNDS & REIMBURSEMENTS	503,704	508,978	518,173			
OTHER SALES & SERVICES	7,600	7,600	7,600			
RECEIPTS SUBTOTAL	16,192,380	16,280,184	16,415,861			
TRANSFERS						
GEN FUND-DNR ADMIN SERVCS D	2,119,447					
GEN FUND-DNR PARKS & PRESER	5,471,961					
GEN FUND-DNR FORESTRY DIVIS	1,443,009					
GEN FUND-DNR ENERGY & GEOLO	1,656,091					
GEN FUND-DNR ENVIRONMENTAL	2,092,656					
F&G-FISH & WILDLIFE APPROPR	19,731,921	14,628,341	14,688,648			
F&G-FISH & WILDLIFE APPROPR		5,305,466	5,321,104			
GF-MFT PARKS OPERATIONS	411,311	308,483	308,483			
GF-MFT PARKS OPERATIONS		102,828	102,828			
ADMINISTRATION FUND	336,500	336,500	336,500			
TOTAL RESOURCES	\$ 52,259,869	\$ 52,639,146	\$ 52,984,041	\$		\$
FTE POSITIONS	987.83	987.83	987.83			
DISPOSITION OF RESOURCES						
EXPENDITURES						
PERSONAL SERVICES	\$ 35,960,531	\$ 35,929,808	\$ 36,275,503	\$		\$

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STATE OF IOWA
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	DEPT REVISED FY 1992-93	TOTAL DEPT FY 1993-94	TOTAL DEPT FY 1994-95			
DISPOSITION OF RESOURCES						
EXPENDITURES						
PERSONAL TRAVEL IN STATE	729,279	729,279	729,279			
STATE VEHICLE OPERATION	891,430	891,430	891,430			
DEPRECIATION	1,348,127	1,348,127	1,348,127			
PERSONAL TRAVEL OUT OF STATE	235,735	235,735	235,735			
OFFICE SUPPLIES	780,304	830,304	830,304			
FACILITY MAINTENANCE SUPPLIE	859,174	909,174	909,174			
EQUIPMENT MAINTENANCE SUPPLI	781,877	831,877	831,877			
PROF. & SCIENTIFIC SUPPLIES	33,300	33,300	33,300			
AG., CONSERVATION & HORT SUPP	445,268	495,268	495,268			
OTHER SUPPLIES	345,519	345,519	345,519			
PRINTING & BINDING	672,109	672,109	672,109			
UNIFORMS & RELATED ITEMS	207,285	207,285	207,285			
COMMUNICATIONS	644,948	644,948	644,948			
RENTALS	192,892	192,892	192,892			
UTILITIES	664,286	664,286	664,286			
PROF & SCIENTIFIC SERVICES	3,680,286	3,680,286	3,680,286			
OUTSIDE SERVICES	555,757	555,757	555,757			
ADVERTISING & PUBLICITY	29,900	29,900	29,900			
DATA PROCESSING	559,690	559,690	559,690			
AUDITOR OF STATE REIMBURSEME	150,000	150,000	150,000			
REIMB. TO OTHER AGENCIES	263,620	263,620	263,620			
EQUIPMENT	1,240,483	1,450,483	1,450,483			
OTHER EXPENSE & OBLIGATIONS	986,922	986,922	986,922			
LICENSES	1,147	1,147	1,147			
EXPENDITURES SUBTOTAL	52,259,870	52,639,146	52,984,841			
TOTAL DISPOSITION OF RESOURCES	\$ 52,259,870	\$ 52,639,146	\$ 52,984,841	\$		\$

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RANK	DESCRIPTION	TOTAL DEPT REQUEST FY 1993 - 1994		TOTAL DEPT REQUEST FY 1994 - 1995	
		EXPEND/FTE	APPROPRIATION	EXPEND/FTE	APPROPRIATION
	BASE Maintain only essential services associated with natural resource protection, recreation and preservation.	\$ 41,918,261 (752.80)	GF \$ 8,685,756 OT 2,653,325	\$ 42,210,164 (752.80)	GF \$ 8,740,621 OT 2,704,892
0001	Restore staffing at 24 state parks to resume camp ground operations, park security and visitor services at intermediate park management level.	1,545,029 (24.00)	GF 1,442,201	1,550,603 (24.00)	GF 1,446,975
0002	Restore Big Springs Hatchery as well as statewide enforcement and public land management activities.	1,053,359 (19.80)		1,056,836 (19.80)	
0003	FLOOD PLAIN Restore the flood plain program by providing for state supervision of flood plain construction activities.	272,863 (5.25)	GF 272,863	273,406 (5.25)	GF 273,406
0004	Restore administrative support, finance, and data processing staffing required to maintain basic support for essential departmental activities.	477,110 (14.00)	GF 143,133	478,808 (14.00)	GF 143,643
0005	FARM FORESTRY Restore professional forestry management assistance to land owners by restoring one district office serving 10% of the state.	49,098 (1.00)	GF 49,098	50,668 (1.00)	GF 50,668
0006	PUBLICATIONS Restore Field Information and Education activities resuming tv, radio, periodical, and brochure contact with the public concerning DNR programs.	106,954 (2.00)	GF 33,745	106,954 (2.00)	GF 33,745
0007	WATER RESOURCES Restore program to automate and update site, well construction, and water quality data on Municipal Water Supply System.	105,611 (2.00)	GF 105,611	105,955 (2.00)	GF 105,955
0008	ENERGY CONS PROG MAND-1 Restore funds for state energy conservation programs which include energy emergency preparedness, comprehensive energy plan and ethanol initiatives.	277,321 (2.50)	GF 55,464	278,317 (2.50)	GF 55,664

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RANK	DESCRIPTION	TOTAL DEPT REQUEST FY 1993 - 1994		TOTAL DEPT REQUEST FY 1994 - 1995	
		EXPEND/FTE	APPROPRIATION	EXPEND/FTE	APPROPRIATION
0009	LANDFILL ALTERNATIVES Provide for an additional FTE to process landfill alternative and recycling products loan programs followup inspection/monitoring/evaluation activity	\$ 40,000 (1.00)	OT 40,000	\$ 40,000 (1.00)	OT 40,000
0010	Restore staffing at 10 state parks to resume camp ground operation, park security and visitor services at intermediate park management levels.	493,260 (10.00)	GF 493,260	497,036 (10.00)	GF 497,036
0011	Restore wildlife extension work with local land owners, fish management/stocking and law enforcement activities.	1,020,884 (20.00)		1,022,701 (20.00)	
0012	CONSTRUCTION SERVICES BUREAU Restore construction services functions to accomplish capital project design and construction supervision activities.	213,986 (6.00)	GF 72,755	214,199 (6.00)	GF 72,828
0013	LOESS HILLS Restore funding to operate and maintain the Loess Hills Pioneer State Forest area.	79,610 (2.28)	GF 79,610	81,009 (2.28)	GF 81,009
0014	WATER RIGHTS Restore water withdrawal program by providing for state supervision of water use activities.	106,250 (3.00)	GF 106,250	108,065 (3.00)	GF 108,065
0015	GEOLOGICAL & MINERAL RESOURCES Restore basic geologic and hydrologic data acquisition, analysis, and interpretation to assess available water and mineral resources.	85,219 (2.00)	GF 85,219	85,392 (2.00)	GF 85,392
0016	DIRECTED PROJECTS Restore development of data inputs that are critical to full implementation of the department's Natural Resources Geographic Information System.	53,404 (1.00)	GF 53,404	53,576 (1.00)	GF 53,576
0017	Restore the water supply program providing for implementation and enforcement of laws ensuring safe drinking water is available to all Iowans.	1,003,294 (18.75)	GF 250,823	1,016,250 (18.75)	GF 254,062

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RANK	DESCRIPTION	TOTAL DEPT REQUEST FY 1993 - 1994		TOTAL DEPT REQUEST FY 1994 - 1995	
		EXPEND/FTE	APPROPRIATION	EXPEND/FTE	APPROPRIATION
0018	LAND ACQUISITION/MGMT BUREAU Restore land acquisition services needed to purchase natural resource areas to be protected and used by the public for recreational activities	\$ 216,297 (4.00)	GF \$ 129,778	\$ 216,814 (4.00)	GF \$ 130,088
0019	Restore Mississippi Monitoring Program and Fish and Wildlife research activities.	(781,134 16.80)		(791,127 16.80)	
0020	Restore Yellow River/Stephens/Shimek State Forest operations to allow for continued maintenance and operation of sawmill and inmate labor programs.	(169,670 5.00)	GF 169,670	(171,756 5.00)	GF 171,756
0021	Restore staffing and support to maintain basic maintenance functions at Bob White and Mines of Spain State Recreation Area.	(318,282 8.65)	GF 318,282	(318,282 8.65)	GF 318,282
0022	Restore hunter, boat, and snowmobile safety programs.	(463,688 6.00)		(465,133 6.00)	
0023	USGS COOPERATIVE AGREEMENT Restore groundwater monitoring (water quality and water levels), stream gaging stations, and suspended sediment stations for regulatory needs.	113,434	GF 113,434	113,434	GF 113,434
0024	Restore the departments support service activities to address financial, records, and data processing functions associated with public response activity	(118,347 7.30)	GF 35,504	(114,591 7.30)	GF 34,377
0025	FORESTRY SERVICES BUREAU MGMT Restore funding for forestry product promotion activities and the production of forestry promotional materials.	(60,000 1.27)	GF 60,000	(61,761 1.27)	GF 61,761
0026	Restore part time help required to maintain day to day wildlife and fisheries facilities as well as boating navigation enforcement activities.	(858,622 46.93)		(858,622 46.93)	

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RANK	DESCRIPTION	TOTAL DEPT REQUEST FY 1993 - 1994		TOTAL DEPT REQUEST FY 1994 - 1995	
		EXPEND/FTE	APPROPRIATION	EXPEND/FTE	APPROPRIATION
0027	WASTE MANAGEMENT OIL OVERCHRG Provide funding to continue solid waste program activities previously funded with oil overcharge funds.	\$ 228,159 (4.50)	GF \$ 228,159	\$ 233,382 (4.50)	GF \$ 233,382
0028	FISH AND WILDLIFE DIV. MGMT Provide additional funding to bring Fish and Wildlife division wide equipment and maintenance budgets to FY 87 levels.	410,000		410,000	
TOTAL		\$ 52,639,146 (987.83)	GF \$ 12,984,019 OT 2,693,325	\$ 52,984,841 (987.83)	GF \$ 13,065,725 OT 2,744,892

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	DEPT REVISED FY 1992-93	TOTAL DEPT FY 1993-94	TOTAL DEPT FY 1994-95			
RESOURCES						
APPROPRIATIONS						
GMF-BIG SPRINGS MONITORING-D	\$ 3,394	\$ 3,357	\$ 3,456	\$	\$	\$
GMF-GEN'L PROVISIONS-DNR	59,220	54,486	54,490			
GMF-HOUSEHOLD HAZ WASTE-DNR	3,052	2,975	3,030			
GMF-WELL TESTING ADMIN 2%-DNR	1,152	1,115	1,120			
GMF-GWTR MONITORING-DNR	26,038	25,781	26,560			
GMF-LANDFILL ALTERNATIVES-DNR	2,886	2,901	2,993			
GF-NATURAL RESOURCES OPERTNS		495,482	494,823			
APPROPRIATIONS SUBTOTAL	95,742	586,097	586,472			
RECEIPTS						
FEDERAL SUPPORT	336,768	336,535	340,325			
INTRA STATE RECEIPTS	88,487	96,720	96,873			
RECEIPTS SUBTOTAL	425,255	433,255	437,198			
TRANSFERS						
GEN FUND-DNR ADMIN SERVCS D	481,166					
F&G-FISH & WILDLIFE APPROP	337,783	241,264	243,494			
F&G-FISH & WILDLIFE APPROP		73,209	73,209			
ADMINISTRATION FUND	336,500	336,500	336,500			
TOTAL RESOURCES	\$ 1,676,446	\$ 1,670,325	\$ 1,676,873	\$	\$	\$
FTE POSITIONS	21.90	21.90	21.90			
DISPOSITION OF RESOURCES						
EXPENDITURES						
PERSONAL SERVICES	\$ 1,021,017	\$ 1,014,896	\$ 1,021,444	\$	\$	\$
PERSONAL TRAVEL IN STATE	53,150	53,150	53,150			
STATE VEHICLE OPERATION	7,931	7,931	7,931			
DEPRECIATION	12,450	12,450	12,450			
PERSONAL TRAVEL OUT OF STATE	9,000	9,000	9,000			
OFFICE SUPPLIES	84,050	84,050	84,050			
FACILITY MAINTENANCE SUPPLIE	2,000	2,000	2,000			
EQUIPMENT MAINTENANCE SUPPLI	6,850	6,850	6,850			
OTHER SUPPLIES	65,830	65,830	65,830			
PRINTING & BINDING	266,843	266,843	266,843			
UNIFORMS & RELATED ITEMS	600	600	600			
COMMUNICATIONS	29,200	29,200	29,200			

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	DEPT REVISED FY 1992-93	TOTAL DEPT FY 1993-94	TOTAL DEPT FY 1994-95			
DISPOSITION OF RESOURCES						
EXPENDITURES						
RENTALS	500	500	500			
UTILITIES	750	750	750			
PROF & SCIENTIFIC SERVICES	51,200	51,200	51,200			
OUTSIDE SERVICES	23,100	23,100	23,100			
DATA PROCESSING	13,450	13,450	13,450			
REIMB. TO OTHER AGENCIES	5,975	5,975	5,975			
EQUIPMENT	19,550	19,550	19,550			
OTHER EXPENSE & OBLIGATIONS	3,000	3,000	3,000			
EXPENDITURES SUBTOTAL	1,676,446	1,670,325	1,676,873			
TOTAL DISPOSITION OF RESOURCES	\$ 1,676,446	\$ 1,670,325	\$ 1,676,873	\$	\$	\$

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RANK	DESCRIPTION	TOTAL DEPT REQUEST FY 1993 - 1994 EXPEND/FTE	APPROPRIATION	TOTAL DEPT REQUEST FY 1994 - 1995 EXPEND/FTE	APPROPRIATION
	BASE	\$ 1,563,371 (19.90)	GF \$ 461,737 OT 90,615	\$ 1,569,919 (19.90)	GF \$ 461,078 OT 91,649
0001	PUBLICATIONS Restore Field Information and Education activities resuming tv, radio, periodical, and brochure contact with the public concerning DNR programs.	106,954 (2.00)	GF 33,745	106,954 (2.00)	GF 33,745
TOTAL		\$ 1,670,325 (21.90)	GF \$ 495,482 OT 90,615	\$ 1,676,873 (21.90)	GF \$ 494,823 OT 91,649

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ADMINISTRATIVE SERVICES DIV.

	DEPT REVISED FY 1992-93	TOTAL DEPT FY 1993-94	TOTAL DEPT FY 1994-95			
RESOURCES						
APPROPRIATIONS						
GNF-BIG SPRINGS MONITORING-D	\$ 21,369	\$ 22,060	\$ 22,609	\$	\$	
GNF-GEN'L PROVISIONS-DNR	37,817	7,129	7,124			
GNF-HOUSEHOLD HAZ WASTE-DNR	19,214	19,550	19,819			
GNF-WELL TESTING ADMIN 2%-DN	7,256	7,330	7,325			
GNF-GWTR MONITORING-DNR	163,942	169,425	173,741			
GNF-LANDFILL ALTERNATIVES-DN	18,171	19,061	19,580			
GF-NATURAL RESOURCES OPERTNS		1,529,290	1,513,798			
APPROPRIATIONS SUBTOTAL	267,769	1,773,845	1,763,996			
RECEIPTS						
FEDERAL SUPPORT	845,761	888,246	901,000			
INTRA STATE RECEIPTS	643,205	650,075	656,541			
RECEIPTS SUBTOTAL	1,488,966	1,538,321	1,557,541			
TRANSFERS						
GEN FUND-DNR ADMIN SERVCS D	1,638,281		2,043,508			
F&G-FISH & WILDLIFE APPROPR	2,694,277	2,035,637	643,476			
F&G-FISH & WILDLIFE APPROPR		644,570				
TOTAL RESOURCES	\$ 6,089,293	\$ 5,992,373	\$ 6,008,521	\$	\$	
FTE POSITIONS	113.10	112.10	112.10			

DISPOSITION OF RESOURCES

	DEPT REVISED FY 1992-93	TOTAL DEPT FY 1993-94	TOTAL DEPT FY 1994-95			
EXPENDITURES						
PERSONAL SERVICES	\$ 4,067,986	\$ 3,971,066	\$ 3,987,214	\$	\$	
PERSONAL TRAVEL IN STATE	51,800	51,800	51,800			
STATE VEHICLE OPERATION	60,500	60,500	60,500			
DEPRECIATION	74,200	74,200	74,200			
PERSONAL TRAVEL OUT OF STATE	3,800	3,800	3,800			
OFFICE SUPPLIES	322,100	322,100	322,100			
FACILITY MAINTENANCE SUPPLIE	31,000	31,000	31,000			
EQUIPMENT MAINTENANCE SUPPLI	48,500	48,500	48,500			
OTHER SUPPLIES	13,700	13,700	13,700			
PRINTING & BINDING	13,500	13,500	13,500			
UNIFORMS & RELATED ITEMS	2,500	2,500	2,500			
COMMUNICATIONS	93,100	93,100	93,100			
RENTALS	500	500	500			

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ADMINISTRATIVE SERVICES DIV.

	DEPT REVISED FY 1992-93	TOTAL DEPT FY 1993-94	TOTAL DEPT FY 1994-95			
DISPOSITION OF RESOURCES						
EXPENDITURES						
OUTSIDE SERVICES	39,400	39,400	39,400			
ADVERTISING & PUBLICITY	500	500	500			
DATA PROCESSING	107,500	107,500	107,500			
AUDITOR OF STATE REIMBURSEME	150,000	150,000	150,000			
REIMB. TO OTHER AGENCIES	45,150	45,150	45,150			
EQUIPMENT	213,500	213,500	213,500			
OTHER EXPENSE & OBLIGATIONS	750,007	750,007	750,007			
LICENSES	50	50	50			
EXPENDITURES SUBTOTAL	6,089,293	5,992,373	6,008,521			
TOTAL DISPOSITION OF RESOURCES	\$ 6,089,293	\$ 5,992,373	\$ 6,008,521	\$	\$	

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ADMINISTRATIVE SERVICES DIV.

RANK	DESCRIPTION	TOTAL DEPT REQUEST FY 1993 - 1994		TOTAL DEPT REQUEST FY 1994 - 1995	
		EXPEND/FTE	APPROPRIATION	EXPEND/FTE	APPROPRIATION
	BASE	\$ 4,966,633 (80.80)	GF \$ 1,148,120 OT 244,555	\$ 4,984,109 (80.80)	GF \$ 1,132,862 OT 250,198
0001	Restore administrative support, finance, and data processing staffing required to maintain basic support for essential departmental activities.	(477,110 14.00)	GF 143,133	(478,808 14.00)	GF 143,643
0002	CONSTRUCTION SERVICES BUREAU Restore construction services functions to accomplish capital project design and construction supervision activities.	(213,986 6.00)	GF 72,755	(214,199 6.00)	GF 72,828
0003	LAND ACQUISITION/MGMT BUREAU Restore land acquisition services needed to purchase natural resource areas to be protected and used by the public for recreational activities	(216,297 4.00)	GF 129,778	(216,814 4.00)	GF 130,088
0004	Restore the departments support service activities to address financial, records, and data processing functions associated with public response activity	(118,347 7.30)	GF 35,504	(114,591 7.30)	GF 34,377
TOTAL		\$ 5,992,373 (112.10)	GF \$ 1,529,290 OT 244,555	\$ 6,008,521 (112.10)	GF \$ 1,513,798 OT 250,198

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PARKS, PRES. & RECREATION DIV.

	DEPT REVISED FY 1992-93	TOTAL DEPT FY 1993-94	TOTAL DEPT FY 1994-95			
RESOURCES						
APPROPRIATIONS						
GF-NATURAL RESOURCES OPERTNS	\$	\$ 5,517,513	\$ 5,538,883	\$	\$	\$
RECEIPTS						
FEDERAL SUPPORT	36,900	36,900	36,900			
INTRA STATE RECEIPTS	2,202,186	2,202,294	2,202,294			
REFUNDS & REIMBURSEMENTS	51,500	51,500	51,500			
RECEIPTS SUBTOTAL	2,290,586	2,290,694	2,290,694			
TRANSFERS						
GEN FUND-DNR PARKS & PRESER	5,471,961					
GF-MFT PARKS OPERATIONS	411,311	308,483	308,483			
GF-MFT PARKS OPERATIONS		102,828	102,828			
TOTAL RESOURCES	\$ 8,173,858	\$ 8,219,518	\$ 8,240,888	\$	\$	\$
FTE POSITIONS	210.57	210.57	210.57			

DISPOSITION OF RESOURCES

	DEPT REVISED FY 1992-93	TOTAL DEPT FY 1993-94	TOTAL DEPT FY 1994-95			
EXPENDITURES						
PERSONAL SERVICES	\$ 5,697,167	\$ 5,742,827	\$ 5,764,997	\$	\$	\$
PERSONAL TRAVEL IN STATE	70,000	70,000	70,000			
STATE VEHICLE OPERATION	200,270	200,270	200,270			
DEPRECIATION	287,400	287,400	287,400			
PERSONAL TRAVEL OUT OF STATE	8,435	8,435	8,435			
OFFICE SUPPLIES	45,700	45,700	45,700			
FACILITY MAINTENANCE SUPPLIE	461,100	461,100	461,100			
EQUIPMENT MAINTENANCE SUPPLI	292,750	292,750	292,750			
PROF. & SCIENTIFIC SUPPLIES	1,000	1,000	1,000			
AG., CONSERVATION & HORT SUPP	34,625	34,625	34,625			
OTHER SUPPLIES	42,694	42,694	42,694			
PRINTING & BINDING	34,500	34,500	34,500			
UNIFORMS & RELATED ITEMS	57,179	57,179	57,179			
COMMUNICATIONS	105,002	105,002	105,002			
RENTALS	30,900	30,900	30,900			
UTILITIES	380,951	380,951	380,951			
PROF & SCIENTIFIC SERVICES	88,911	88,911	88,911			
OUTSIDE SERVICES	185,352	185,352	185,352			
ADVERTISING & PUBLICITY	2,550	2,550	2,550			
DATA PROCESSING	10,000	10,000	10,000			
REIMB. TO OTHER AGENCIES	2,425	2,425	2,425			

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PARKS, PRES. & RECREATION DIV.

	DEPT REVISED FY 1992-93	TOTAL DEPT FY 1993-94	TOTAL DEPT FY 1994-95			
DISPOSITION OF RESOURCES						
EXPENDITURES						
EQUIPMENT	131,550	131,550	131,550			
OTHER EXPENSE & OBLIGATIONS	2,700	2,700	2,700			
LICENSES	697	697	697			
EXPENDITURES SUBTOTAL	8,173,858	8,219,518	8,241,688			
TOTAL DISPOSITION OF RESOURCES	\$ 8,173,858	\$ 8,219,518	\$ 8,241,688	\$	\$	\$

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PARKS, PRES. & RECREATION DIV.

RANK	DESCRIPTION	TOTAL DEPT REQUEST FY 1993 - 1994		TOTAL DEPT REQUEST FY 1994 - 1995	
		EXPEND/FTE	APPROPRIATION	EXPEND/FTE	APPROPRIATION
	BASE	\$ 5,862,947 (167.92)	GF \$ 3,263,770	\$ 5,875,767 (167.92)	GF \$ 3,276,590
0001	Restore staffing at 24 state parks to resume camp ground operations, park security and visitor services at intermediate park management level.	1,545,029 (24.00)	GF 1,442,201	1,550,603 (24.00)	GF 1,446,975
0002	Restore staffing at 10 state parks to resume camp ground operation, park security and visitor services at intermediate park management levels.	493,260 (10.00)	GF 493,260	497,036 (10.00)	GF 497,036
0003	Restore staffing and support to maintain basic maintenance functions at Bob White and Mines of Spain State Recreation Area.	318,282 (8.65)	GF 318,282	318,282 (8.65)	GF 318,282
TOTAL		\$ 8,219,518 (210.57)	GF \$ 5,517,513	\$ 8,241,688 (210.57)	GF \$ 5,538,883

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FORESTRY DIVISION

	DEPT REVISED FY 1992-93	TOTAL DEPT FY 1993-94	TOTAL DEPT FY 1994-95			
RESOURCES						
APPROPRIATIONS						
GF-NATURAL RESOURCES OPERTNS	\$	\$ 1,450,685	\$ 1,496,658	\$	\$	\$
RECEIPTS						
FEDERAL SUPPORT	458,800	458,800	458,800			
INTRA STATE RECEIPTS	850,000	850,000	850,000			
RECEIPTS SUBTOTAL	1,308,800	1,308,800	1,308,800			
TRANSFERS						
GEN FUND-DNR FORESTRY DIVIS	1,443,010					
TOTAL RESOURCES	\$ 2,751,810	\$ 2,759,485	\$ 2,805,458	\$	\$	\$
FTE POSITIONS	55.71	55.71	55.71			
DISPOSITION OF RESOURCES						
EXPENDITURES						
PERSONAL SERVICES	\$ 1,934,480	\$ 1,942,155	\$ 1,988,128	\$	\$	\$
PERSONAL TRAVEL IN STATE	40,000	40,000	40,000			
STATE VEHICLE OPERATION	85,500	85,500	85,500			
DEPRECIATION	144,120	144,120	144,120			
PERSONAL TRAVEL OUT OF STATE	5,500	5,500	5,500			
OFFICE SUPPLIES	22,500	22,500	22,500			
FACILITY MAINTENANCE SUPPLIE	39,000	39,000	39,000			
EQUIPMENT MAINTENANCE SUPPLI	58,500	58,500	58,500			
AG..CONSERVATION & HORT SUPP	89,723	89,723	89,723			
OTHER SUPPLIES	48,500	48,500	48,500			
PRINTING & BINDING	16,100	16,100	16,100			
UNIFORMS & RELATED ITEMS	17,475	17,475	17,475			
COMMUNICATIONS	39,400	39,400	39,400			
RENTALS	37,000	37,000	37,000			
UTILITIES	31,800	31,800	31,800			
OUTSIDE SERVICES	41,500	41,500	41,500			
ADVERTISING & PUBLICITY	1,000	1,000	1,000			
DATA PROCESSING	1,900	1,900	1,900			
REIMB. TO OTHER AGENCIES	300	300	300			
EQUIPMENT	97,412	97,412	97,412			
LICENSES	100	100	100			
EXPENDITURES SUBTOTAL	2,751,810	2,759,485	2,805,458			
TOTAL DISPOSITION OF RESOURCES	\$ 2,751,810	\$ 2,759,485	\$ 2,805,458	\$	\$	\$

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FORESTRY DIVISION

RANK	DESCRIPTION	EXPEND/FTE FY 1993 - 1994	APPROPRIATION	EXPEND/FTE FY 1994 - 1995	APPROPRIATION
	BASE	\$ 2,401,107 (46.16)	GF \$ 1,092,307	\$ 2,440,264 (46.16)	GF \$ 1,131,464
0001	FARM FORESTRY Restore professional forestry management assistance to land owners by restoring one district office serving 10% of the state.	49,098 (1.00)	GF 49,098	50,668 (1.00)	GF 50,668
0002	LOESS HILLS Restore funding to operate and maintain the Loess Hills Pioneer State Forest area.	79,610 (2.28)	GF 79,610	81,009 (2.28)	GF 81,009
0003	Restore Yellow River/Stephens/Shimek State Forest operations to allow for continued maintenance and operation of sawmill and inmate labor programs.	169,670 (5.00)	GF 169,670	171,756 (5.00)	GF 171,756
0004	FORESTRY SERVICES BUREAU MGMT Restore funding for forestry product promotion activities and the production of forestry promotional materials.	60,000 (1.27)	GF 60,000	61,761 (1.27)	GF 61,761
TOTAL		\$ 2,759,485 (55.71)	GF \$ 1,450,685	\$ 2,805,458 (55.71)	GF \$ 1,496,658

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	DEPT REVISED FY 1992-93	TOTAL DEPT FY 1993-94	TOTAL DEPT FY 1994-95			
RESOURCES						
APPROPRIATIONS						
GMF-BIG SPRINGS MONITORING-D	\$ 442,705	\$ 446,201	\$ 449,666	\$		\$
GMF-GEN'L PROVISIONS-DNR	17,351	17,351	17,351			
GF-NATURAL RESOURCES OPERTNS		1,664,438	1,679,882			
APPROPRIATIONS SUBTOTAL	460,056	2,127,990	2,146,899			
RECEIPTS						
FEDERAL SUPPORT	715,927	715,504	719,129			
INTRA STATE RECEIPTS	982,472	989,097	999,748			
REIMB. FROM OTHER AGENCIES	114,091	114,300	114,300			
FEES, LICENSES & PERMITS	105,189	104,781	104,299			
REFUNDS & REIMBURSEMENTS	144,093	143,466	147,262			
OTHER SALES & SERVICES	7,600	7,600	7,600			
RECEIPTS SUBTOTAL	2,069,372	2,074,748	2,092,338			
TRANSFERS						
GEN FUND-DNR ENERGY & GEOLO	1,656,091					
TOTAL RESOURCES	\$ 4,185,519	\$ 4,202,738	\$ 4,239,237	\$		\$
FTE POSITIONS	55.02	55.02	55.02			
DISPOSITION OF RESOURCES						
EXPENDITURES						
PERSONAL SERVICES	\$ 2,455,144	\$ 2,472,363	\$ 2,508,862	\$		\$
PERSONAL TRAVEL IN STATE	40,474	40,474	40,474			
STATE VEHICLE OPERATION	23,650	23,650	23,650			
DEPRECIATION	33,570	33,570	33,570			
PERSONAL TRAVEL OUT OF STATE	32,500	32,500	32,500			
OFFICE SUPPLIES	15,674	15,674	15,674			
FACILITY MAINTENANCE SUPPLIE	4,450	4,450	4,450			
EQUIPMENT MAINTENANCE SUPPLI	17,400	17,400	17,400			
PROF. & SCIENTIFIC SUPPLIES	2,800	2,800	2,800			
OTHER SUPPLIES	37,359	37,359	37,359			
PRINTING & BINDING	60,800	60,800	60,800			
UNIFORMS & RELATED ITEMS	10	10	10			
COMMUNICATIONS	33,750	33,750	33,750			
RENTALS	2,400	2,400	2,400			
UTILITIES	12,720	12,720	12,720			

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	DEPT REVISED FY 1992-93	TOTAL DEPT FY 1993-94	TOTAL DEPT FY 1994-95			
DISPOSITION OF RESOURCES						
EXPENDITURES						
PROF & SCIENTIFIC SERVICES	1,238,273	1,238,273	1,238,273			
OUTSIDE SERVICES	38,045	38,045	38,045			
DATA PROCESSING	45,850	45,850	45,850			
REIMB. TO OTHER AGENCIES	6,390	6,390	6,390			
EQUIPMENT	84,260	84,260	84,260			
EXPENDITURES SUBTOTAL	4,185,519	4,202,738	4,239,237			
TOTAL DISPOSITION OF RESOURCES	\$ 4,185,519	\$ 4,202,738	\$ 4,239,237	\$		\$

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ENERGY & GEOLOGICAL RESOURCES

RANK	DESCRIPTION	TOTAL DEPT REQUEST FY 1993 - 1994		TOTAL DEPT REQUEST FY 1994 - 1995	
		EXPEND/FTE	APPROPRIATION	EXPEND/FTE	APPROPRIATION
	BASE	\$ 3,567,749 (47.52)	GF \$ 1,251,306 OT 463,552	\$ 3,602,563 (47.52)	GF \$ 1,265,861 OT 467,017
0001	WATER RESOURCES Restore program to automate and update site, well construction, and water quality data on Municipal Water Supply System.	105,611 (2.00)	GF 105,611	105,955 (2.00)	GF 105,955
0002	ENERGY CONS PROG MAND-1 Restore funds for state energy conservation pro- grams which include energy emergency preparedness, comprehensive energy plan and ethanol initiatives.	277,321 (2.50)	GF 55,464	278,317 (2.50)	GF 55,664
0003	GEOLOGICAL & MINERAL RESOURCES Restore basic geologic and hydrologic data acquisition, analysis, and interpretation to assess available water and mineral resources.	85,219 (2.00)	GF 85,219	85,392 (2.00)	GF 85,392
0004	DIRECTED PROJECTS Restore development of data inputs that are criti- cal to full implementation of the department's Natural Resources Geographic Information System.	53,404 (1.00)	GF 53,404	53,576 (1.00)	GF 53,576
0005	USGS COOPERATIVE AGREEMENT Restore groundwater monitoring (water quality and water levels), stream gaging stations, and suspended sediment stations for regulatory needs.	113,434	GF 113,434	113,434	GF 113,434
	TOTAL	\$ 4,202,738 (55.02)	GF \$ 1,664,438 OT 463,552	\$ 4,239,237 (55.02)	GF \$ 1,679,882 OT 467,017

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	DEPT REVISED FY 1992-93	TOTAL DEPT FY 1993-94	TOTAL DEPT FY 1994-95
RESOURCES			
APPROPRIATIONS			
GMF-GEN'L PROVISIONS-DNR	\$ 167,547	\$ 197,069	\$ 206,000
GMF-STORAGE TANKS STUDY-DNR	190,556	54,661	54,661
GMF-WELL TESTING ADMIN 2%-DNR	54,466	711,564	725,583
GMF-GNTR MONITORING-DNR	696,185	2,326,611	2,341,681
GF-NATURAL RESOURCES OPERTNS			
APPROPRIATIONS SUBTOTAL	1,108,754	3,289,905	3,327,925
RECEIPTS			
FEDERAL SUPPORT	6,790,610	6,839,505	6,897,126
INTRA STATE RECEIPTS	981,011	954,633	984,610
REFUNDS & REIMBURSEMENTS	308,111	314,012	319,411
RECEIPTS SUBTOTAL	8,079,732	8,108,150	8,201,147
TRANSFERS			
GEN FUND-DNR ENVIRONMENTAL	2,092,656		
TOTAL RESOURCES	\$ 11,281,142	\$ 11,398,055	\$ 11,529,072
FTE POSITIONS	174.00	174.00	174.00
DISPOSITION OF RESOURCES			
EXPENDITURES			
PERSONAL SERVICES	\$ 7,671,244	\$ 7,788,157	\$ 7,919,174
PERSONAL TRAVEL IN STATE	126,020	126,020	126,020
STATE VEHICLE OPERATION	56,500	56,500	56,500
DEPRECIATION	65,000	65,000	65,000
PERSONAL TRAVEL OUT OF STATE	125,000	125,000	125,000
OFFICE SUPPLIES	76,000	76,000	76,000
FACILITY MAINTENANCE SUPPLIE	2,200	2,200	2,200
EQUIPMENT MAINTENANCE SUPPLI	10,600	10,600	10,600
PROF. & SCIENTIFIC SUPPLIES	29,500	29,500	29,500
OTHER SUPPLIES	38,550	38,550	38,550
PRINTING & BINDING	63,940	63,940	63,940
UNIFORMS & RELATED ITEMS	3,400	3,400	3,400
COMMUNICATIONS	139,036	139,036	139,036
RENTALS	60,500	60,500	60,500
UTILITIES	17,695	17,695	17,695
PROF & SCIENTIFIC SERVICES	2,010,995	2,010,995	2,010,995

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	DEPT REVISED FY 1992-93	TOTAL DEPT FY 1993-94	TOTAL DEPT FY 1994-95		
DISPOSITION OF RESOURCES					
EXPENDITURES					
OUTSIDE SERVICES	90,220	90,220	90,220		
ADVERTISING & PUBLICITY	12,250	12,250	12,250		
DATA PROCESSING	330,710	330,710	330,710		
REIMB. TO OTHER AGENCIES	24,780	24,780	24,780		
EQUIPMENT	306,087	306,087	306,087		
OTHER EXPENSE & OBLIGATIONS	20,915	20,915	20,915		
EXPENDITURES SUBTOTAL	11,281,142	11,398,055	11,529,072		
TOTAL DISPOSITION OF RESOURCES	\$ 11,281,142	\$ 11,398,055	\$ 11,529,072	\$	\$

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	BASE	\$ 9,787,489 (142.50)	GF \$ 1,468,516 OT 963,294	\$ 9,897,969 (142.50)	GF \$ 1,472,766 OT 986,244
0001	FLOOD PLAIN Restore the flood plain program by providing for state supervision of flood plain construction activities.	272,863 (5.25)	GF 272,863	273,406 (5.25)	GF 273,406
0002	WATER RIGHTS Restore water withdrawal program by providing for state supervision of water use activities.	106,250 (3.00)	GF 106,250	108,065 (3.00)	GF 108,065
0003	Restore the water supply program providing for implementation and enforcement of laws ensuring safe drinking water is available to all Iowans.	1,003,294 (18.75)	GF 250,823	1,016,250 (18.75)	GF 254,062
0004	WASTE MANAGEMENT OIL OVERCHRG Provide funding to continue solid waste program activities previously funded with oil overcharge funds.	228,159 (4.50)	GF 228,159	233,382 (4.50)	GF 233,382
TOTAL		\$ 11,398,055 (174.00)	GF \$ 2,326,611 OT 963,294	\$ 11,529,072 (174.00)	GF \$ 2,341,681 OT 986,244

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	DEPT REVISED FY 1992-93	TOTAL DEPT FY 1993-94	TOTAL DEPT FY 1994-95		
RESOURCES					
RECEIPTS					
INTRA STATE RECEIPTS	\$ 230,132	\$ 224,899	\$ 225,039	\$	\$
TRANSFERS					
F&G-FISH & WILDLIFE APPROP	16,699,861	12,351,440	12,401,646		
F&G-FISH & WILDLIFE APPROP		4,587,687	4,604,419		
TOTAL RESOURCES	\$ 16,929,993	\$ 17,164,026	\$ 17,231,104	\$	\$
FTE POSITIONS	338.78	338.78	338.78		
DISPOSITION OF RESOURCES					
EXPENDITURES					
PERSONAL SERVICES	\$ 12,386,876	\$ 12,210,909	\$ 12,277,987	\$	\$
PERSONAL TRAVEL IN STATE	316,235	316,235	316,235		
STATE VEHICLE OPERATION	457,079	457,079	457,079		
DEPRECIATION	731,387	731,387	731,387		
PERSONAL TRAVEL OUT OF STATE	29,000	29,000	29,000		
OFFICE SUPPLIES	206,370	256,370	256,370		
FACILITY MAINTENANCE SUPPLIE	318,624	368,624	368,624		
EQUIPMENT MAINTENANCE SUPPLI	346,527	396,527	396,527		
AG.,CONSERVATION & HORT SUPP	320,920	370,920	370,920		
OTHER SUPPLIES	83,137	83,137	83,137		
PRINTING & BINDING	126,806	126,806	126,806		
UNIFORMS & RELATED ITEMS	126,121	126,121	126,121		
COMMUNICATIONS	180,805	180,805	180,805		
RENTALS	61,092	61,092	61,092		
UTILITIES	220,370	220,370	220,370		
PROF & SCIENTIFIC SERVICES	111,000	111,000	111,000		
OUTSIDE SERVICES	132,980	132,980	132,980		
ADVERTISING & PUBLICITY	13,600	13,600	13,600		
DATA PROCESSING	41,200	41,200	41,200		
REIMB. TO OTHER AGENCIES	160,450	160,450	160,450		
EQUIPMENT	353,514	563,514	563,514		
OTHER EXPENSE & OBLIGATIONS	205,600	205,600	205,600		
LICENSES	300	300	300		
EXPENDITURES SUBTOTAL	16,929,993	17,164,026	17,231,104		
TOTAL DISPOSITION OF RESOURCES	\$ 16,929,993	\$ 17,164,026	\$ 17,231,104	\$	\$

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FISH AND WILDLIFE DIVISION

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		EXPEND/FTE	APPROPRIATION	EXPEND/FTE	APPROPRIATION
	BASE	\$ 12,576,339 (229.25)	\$	\$ 12,626,685 (229.25)	\$
0001	Restore Big Springs Hatchery as well as statewide enforcement and public land management activities.	1,053,359 (19.80)		1,056,836 (19.80)	
0002	Restore wildlife extinsion work with local land owners, fish management/stocking and law enforcement activities.	1,020,884 (20.00)		1,022,701 (20.00)	
0003	Restore Mississippi Monitoring Program and Fish and Wildlife research activities.	781,134 (16.80)		791,127 (16.80)	
0004	Restore hunter, boat, and snowmobile safety programs.	463,688 (6.00)		465,133 (6.00)	
0005	Restore part time help required to maintain day to day wildlife and fisheries facilities as well as boating navigation enforcement activities.	858,622 (46.93)		858,622 (46.93)	
0006	FISH AND WILDLIFE DIV. MGMT Provide additional funding to bring Fish and Wildlife division wide equipment and maintenance budgets to FY 87 levels.	410,000		410,000	
TOTAL		\$ 17,164,026 (338.78)	\$	\$ 17,231,104 (338.78)	\$

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WASTE MANAGEMENT ASSISTANCE

	DEPT REVISED FY 1992-93	TOTAL DEPT FY 1993-94	TOTAL DEPT FY 1994-95			
RESOURCES						
APPROPRIATIONS						
GMF-HOUSEHOLD HAZ WASTE-DNR	\$ 187,330	\$ 188,717	\$ 190,452	\$	\$	\$
GMF-GMTR MONITORING-DNR	544,226	557,037	570,505			
GMF-LANDFILL ALTERNATIVES-DN	140,716	185,555	188,827			
APPROPRIATIONS SUBTOTAL	872,272	931,309	949,784			
RECEIPTS						
FEDERAL SUPPORT	249,537	251,317	253,104			
INTRA STATE RECEIPTS	50,000	50,000	50,000			
RECEIPTS SUBTOTAL	299,537	301,317	303,104			
TOTAL RESOURCES	\$ 1,171,809	\$ 1,232,626	\$ 1,252,888	\$	\$	\$
FTE POSITIONS	18.75	19.75	19.75			
DISPOSITION OF RESOURCES						
EXPENDITURES						
PERSONAL SERVICES	\$ 726,618	\$ 787,435	\$ 807,697	\$	\$	\$
PERSONAL TRAVEL IN STATE	31,600	31,600	31,600			
PERSONAL TRAVEL OUT OF STATE	22,500	22,500	22,500			
OFFICE SUPPLIES	7,910	7,910	7,910			
FACILITY MAINTENANCE SUPPLIE	800	800	800			
EQUIPMENT MAINTENANCE SUPPLI	750	750	750			
OTHER SUPPLIES	15,749	15,749	15,749			
PRINTING & BINDING	89,620	89,620	89,620			
COMMUNICATIONS	24,655	24,655	24,655			
PROF & SCIENTIFIC SERVICES	179,907	179,907	179,907			
OUTSIDE SERVICES	5,160	5,160	5,160			
DATA PROCESSING	9,080	9,080	9,080			
REIMB. TO OTHER AGENCIES	18,150	18,150	18,150			
EQUIPMENT	34,610	34,610	34,610			
OTHER EXPENSE & OBLIGATIONS	4,700	4,700	4,700			
EXPENDITURES SUBTOTAL	1,171,809	1,232,626	1,252,888			
TOTAL DISPOSITION OF RESOURCES	\$ 1,171,809	\$ 1,232,626	\$ 1,252,888	\$	\$	\$

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Environmental Protection Commission Minutes

November 1992

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NATURAL RESOURCES, DEPARTMENT OF
NATURAL RESOURCES
NATURAL RESOURCES DEPARTMENT OPERATIONS

STATE OF IOWA
DEPARTMENT OF MANAGEMENT
BUDGET WORKSHEETS FOR 1992-1994 BIENNIAL
RANKING SCHEDULE - ORGANIZATION RECAP

SCHEDULE 1 ORGN RECAP
(RANKING SCHEDULE)
DATE 10/23/92 TIME 22.46.54
PAGE 62

93001542G72 9000
WASTE MANAGEMENT ASSISTANCE

RANK	DESCRIPTION	TOTAL DEPT REQUEST FY 1993 - 1994		TOTAL DEPT REQUEST FY 1994 - 1995	
		EXPEND/FTE	APPROPRIATION	EXPEND/FTE	APPROPRIATION
	BASE	\$ 1,192,626 (18.75)	\$ 891,309	\$ 1,212,888 (18.75)	\$ 909,784
0001	LANDFILL ALTERNATIVES Provide for an additional FTE to process landfill alternative and recycling products loan programs followup inspection/monitoring/evaluation activity	40,000 (1.00)	40,000	40,000 (1.00)	40,000
	TOTAL	\$ 1,232,626 (19.75)	\$ 931,309	\$ 1,252,888 (19.75)	\$ 949,784

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GROUNDWATER PROTECTION FUND	FY 91 ACTUAL	FY 92 ACTUAL	FY 93 BUDGET	FY 94 BUDGET	FY 95 BUDGET

STORAGE TANK ACCOUNT					
STORAGE TNK PG ADM	153544	168322	190556	197069	206000
DEPT OF HEALTH	1000	1000	1000	1000	1000
INSURANCE FUND	616889	560565	560783	560709	560709
TOTAL STORAGE TNK	771433	729887	752339	758778	767709
OIL OVERCHARGE ACCOUNT					
BIG SPRINGS STUDY 3	610836	489718	467468	410677	0
DNR GENERAL GW	549391	682042	249717	0	0
LANDFILL ALTERNATIVES	77674	3286	18037	0	0
ABANDONED WELL EDUC AG	75356	3337	107279	0	0
AG ENERGY MGT AG	1675654	1330895	829735	0	0
IWSRRI REGENTS	107030	0	756	0	0
TOTAL OIL OVERCHARGE	3095941	2509278	1672992	410677	0
HOUSEHOLD HAZARDOUS MATERIALS ACCOUNT					
TOXIC CLEANUP	166717	251746	374454	140904	138845
HOUSEHOLD HAZ WASTE ADM	101155	99075	209595	211242	213301
HHWA DEPT HEALTH	2000	2000	2000	2000	2000
TOTAL HHM	269872	352821	586049	354146	354146
AGRICULTURE MANAGEMENT ACCOUNT					
DEPT PUBLIC HEALTH	9000	9000	9000	9000	9000
HEALTH CENTER	286668	278329	283140	283140	283140
LEOPOLD CENTER	1114821	1082393	1101100	1101100	1101100
UHL REGENTS	191112	185553	188760	188760	188760
COUNTY GRANTS DNR ADM	74606	59129	62875	63106	62779
CNTY GRANTS 17.5% WS TESTING	304504	402119	1338609	550550	550550
CNTY GTS 17.5% WELL PLUGGING	331405	515997	1230830	550550	550550
COUNTY CONS BOARDS	0	0	15109	0	0
AG DRAINAGE WELL/SINKHOLES	414076	402032	408980	408980	408980
TOTAL AG MGT	2726192	2934552	4638403	3155186	3154859
SOLID WASTE ACCOUNT					
SOLID WASTE DNR	929386	1104380	1430391	1463807	1430391
SOLID WASTE LANDFILL CLEANUP	58441	70198	1361	0	0
DEPT OF HEALTH	8000	8000	8000	8000	8000
SMALL BUSINESS CENTER	463783	466922	400000	400000	400000
LANDFILL ALTERNATIVES	1679150	3938083	6508992	3500000	3500000
SANITARY DISPOSAL GRANTS	79222	0	3475	0	0
PUBLIC WATER SUPPLY GRANTS	51206	14171	0	0	0
REG COUNCIL WASTE EXCG GRANTS	0	16118	332645	200000	200000
HHW PERMANENT COLLECTN SITES	0	0	523144	300000	300000
HHW COLLECTN TRANSPORTATION	0	0	174381	100000	100000
TOXIC CLEANUP DAYS	0	0	435954	250000	250000
RECYCLING USER LOAN PROG	0	0	959098	550000	550000
DED TRANSFER	0	50000	124381	100000	100000
TOTAL SOLID WASTE	3269188	5667872	10901822	6871807	6838391
TOTAL GROUNDWATER FUND	10132626	12194410	18551605	11550594	11115105

Mr. Slatterly explained funding source changes as well as a requested increase to the Fish and Wildlife budget.

Discussion followed regarding the breakdown into decision packages, how the priority ranking is set, and how cuts would be made if any are necessary.

Motion was made by Margaret Prah! to approve submittal of the FY94 and FY95 Budget Request as presented. Seconded by William Ehm. Motion carried unanimously

APPROVED AS PRESENTED

PUBLIC PARTICIPATION

Chairperson Hartsuck announced public participation at 10:30 a.m.; no one requested to speak.

NOTICE OF INTENDED ACTION--CHAPTER 211, REGIONAL COLLECTION CENTERS FOR HOUSEHOLD HAZARDOUS MATERIALS

Teresa Hay, Division Administrator, Waste Management Assistance Division, presented the following item.

The Commission is requested to approve the proposed notice of intended action regarding establishment of criteria for grants for regional collection centers (RCC) for household and conditionally exempt small quantity generator hazardous wastes. These rules are in response to a legislative mandate, Iowa Code section 455F.8A, that the Department develop criteria to evaluate proposals for the establishment of such sites. Funding for the grants is provided by fifteen cents collected for every ton of solid waste disposed in an Iowa landfill. The proposed rules were developed with the assistance of solid waste managers and local government representatives from around the state.

It is anticipated that three facilities will be developed per year until it is determined that a sufficient number of facilities exist to serve the state, probably a maximum of fifteen.

WASTE MANAGEMENT ASSISTANCE CHAPTER 211 GRANTS FOR REGIONAL COLLECTION CENTERS OF HOUSEHOLD AND CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR HAZARDOUS WASTES

567--211.1(455F) Goal. The goal of this program is to reduce the amount of hazardous materials that are disposed of in Iowa's Sanitary Landfills. Education of the public and the establishment of a system of regional collection centers for the safe and proper disposal of hazardous materials from households and conditionally exempt small quantity generators will be the tools used to accomplish this goal. The establishment of these regional collection centers will reduce the unit cost of proper disposal and increase access to a regularly available means of safely disposing of these materials. Achievement of this goal will further the protection of the state's groundwater resources while protecting Iowa's citizens and the environment as a whole.

567--211.2(455F) Purpose. The purpose of this program is to provide grants to a municipality or a regional government to cover costs associated with the capital outlay for construction or modification of a structure(s) to serve as a regional collection center.

567--211.3((455F) Definitions. As used in this chapter:

"Conditionally exempt small quantity generator or CESQG" is the same as defined by 40 CFR 261.5(f)(1) and (g)(1).

"Cost share" means the percent of applicant funds contributed to the project for those expenses or services that are directly dedicated to the project including, but not limited to, assessed worth of existing equipment, buildings, and salaries directly related to an existing project and costs of new or rented equipment and buildings and salaries and services directly related to the project.

"Department" means the Iowa Department of Natural Resources.

"Financial assistance" means monetary assistance other than grants including interest buydowns on loans.

"Floodplain" means the land adjacent to a stream which has been or may be inundated by a flood having the magnitude of the regional one hundred (100) year flood.

"Grants" means financial assistance in the form of cash payments to eligible candidates for certain considerations.

"Groundwater protection act" means 1987 Iowa Acts, chapter 225, which sets forth laws pertaining to the protection of Iowa's groundwater resources through reduced disposal of solid wastes at landfills and provides grants to encourage better management of Iowa's groundwater resources.

"Household hazardous materials or HHM" is the same as defined by Chapter 455F.1(4) of the Iowa code.

"Indirect costs" means costs that are not identifiable with a specific product, function or activity.

"Mobile units" means a unit belonging to a Regional Collection Center that can be moved to different sites within a region. The mobile unit would be used to perform collection events and to transport collected materials to the fixed RCC.

"Overhead costs" means expenses not chargeable to a particular part of the work or product including, but not limited to, utilities and insurance.

"Petroleum overcharge allocation" means 1987 Iowa Acts, chapter 230, which allocates and appropriates Iowa's petroleum overcharge refunds generated from Stripper Well, Exxon, Amoco, and other petroleum overcharge settlements.

"Regional Collection Center or RCC" means a secured site or facility at which collection, sorting as to type and packaging of hazardous materials from urban and rural households and

CESQGs will be accomplished prior to transportation of these wastes to the final disposal site. These centers are referred to as temporary collection sites in chapter 455F.8A(1) of the Iowa Code.

"Regional governments" means a group of governments that could be defined as a county, several counties, several municipalities a council of governments or a 28E agreement.

"Sanitary landfill" means a sanitary disposal project where solid waste is buried between layers of earth.

"Staffing costs" means salaries and indirect costs related to payment of personnel of a completed RCC.

"Waste management assistance" means the Waste Management Assistance Division of the Department of Natural Resources established by the 1987 Iowa Acts, chapter 180.

567--211.4(455F) Role of the Department of Natural Resources. The Department of Natural Resources is responsible for the administration of funds for projects sponsored under these rules. The Department will assure that funds disbursed will meet guidelines established by the Groundwater Protection Act, the allocation of petroleum overcharge funds, and the Waste Management Authority Act.

Any eligible project may be submitted by an applicant for grant consideration under this chapter. The director shall determine which projects will receive funding after review by the Waste Management Assistance Division and the Environmental Protection Division of the Department.

567--211.5(455F) Funding sources. The Department will use funds appropriated through 455B.310(2.b.)(2.) of the Iowa code for the purpose of achieving the goals outlined in these rules. The Department will ensure that moneys appropriated meet both federal and state guidelines pertaining to their use.

567--211.6(455F) Eligible costs. Applicants can request monetary assistance for the purpose of project development and implementation which includes funds for:

- a. Materials and labor for construction, and the purchase cost of structures and/or mobile units to be used as a RCC;
- b. Site preparation and modification;
- c. Equipment relating directly to RCC operation;
- d. Site and building design fees.

Expenses relating to item a. shall be given the highest priority. Expenses relating to item c. shall be given the lowest priority.

567--211.7(455F) Ineligible costs. Applicants cannot request monetary assistance for the following costs:

- a. Taxes;
- b. Vehicle registration;
- c. Indirect or overhead expenses;
- d. Staffing costs;
- e. Legal costs;
- f. Contingency funds;

g. Land acquisition.

567--211.8(455F) Criteria for selection of a RCC grant. The Department may provide grants to applicants who have met the following criteria. A point value has been assigned for each criterion. Applicants receiving the highest number of points will be considered for grant approval. An applicant applying for grant money shall detail sections:

- 211.8(a.) Education;
- (b.) Use analysis;
- and show sufficient knowledge of sections:
- 211.8(c.) Site selection;
- (d.) Structures;
- (e.) Staff qualifications;
- (f.) Operation procedure;
- (g.) Project match.

If an applicant is selected for an RCC grant they must submit detailed information on sections:

- 211.8(c.) Site selection;
- (d.) Structures;
- (e.) Staff qualifications;
- (f.) Operation Procedure;
- (g.) Project match,

before a contract is signed between the state and the applicant.

Applicants must address criteria in the order presented in these rules. An application that fails to address all of the criteria may not receive further consideration. Any Regional Collection Center proposal that is submitted shall be judged on factors such as service area, frequency of collections, and the accessibility of the collection site.

a. Education.(35 points) An active education program is necessary during all phases of planning, construction and operation of the center. Each applicant shall submit a detailed education plan. This education plan shall include but is not limited to the following:

1. The budget for the education program must be specified.
2. The applicant's education plan shall demonstrate their commitment to local schools within the region, regarding safer alternatives for or the proper disposal of hazardous materials. Each RCC will supply regional schools with resource materials to supplement current curriculum. At least one staff person should have the experience to assist in this goal.
3. Applicants shall demonstrate their commitment to educate the local population through outlining an intensive three year program that addresses alternatives to the purchase or the proper disposal of toxic materials. This effort shall be directed at such groups as civic and youth groups, clubs, organizations, and associations within the collection center's region. Applicants shall make use of local radio, television, newspapers, newsletters and other means to promote this education effort.
4. The education plan must demonstrate a commitment to work with libraries within the region. This commitment shall include providing resource materials, books and other contributions that pertain to HHM.
5. The applicant shall submit a plan to promote retailer awareness of HHM.

The Household Hazardous Materials Program Symbol shall be used on all signs and all resources materials that are created and distributed by the RCCs. See Chapter 567--144(455F) of the Iowa Administrative Code as to the specifications and proper use of this symbol.

b. Use analysis.(5 points) The applicant must demonstrate sufficient knowledge of the wastes from CESQGs and households within the region. This information shall include the number of users, the types and quantities of waste that will potentially be brought to the center. The information gained from this analysis will be useful in determining the size of the site and of the structures at the RCC.

c. Site selection.(20 points) The site selected for the regional collection center shall meet the following criteria:

1. The RCC shall be sited on public property or there shall be an agreement that guarantees public access.
2. The site shall be designed to provide adequate secondary containment in case of a spill or other possible on-site contamination.
3. The selected site shall meet all applicable zoning codes.
4. The site shall be adequately sized to accommodate all structures, units and activities that will take place on the site.
5. The site shall be fenced to control access and a gate shall be provided at the entrance to the site and kept locked when personnel are not on duty.
6. The site shall meet the requirements of 567--103.2(1) of the Iowa Administrative Code. Applicants will be exempt from the requirements of 567--103.2(1)(5,6, and 7). The applicant must submit three (3) copies of all plans and specifications for Department review.

d. Structures.(20 points) All structures shall be sized to adequately sort, bulk and lab pack, and temporarily store exempt hazardous materials brought to the RCC or mobile unit. While the materials that are brought to the site are exempt, they remain hazardous materials and the site and structures must be designed accordingly.

All permanent structures and mobile units must meet all applicable fire, electrical and any other building codes. All mobile units shall comply with applicable Department of Transportation rules and guidelines. All RCCs and mobile units shall obtain a permit from the Department according to 567--102 and 567--104 of the Iowa Administrative Code. All safety issues shall be addressed in the permit.

All receiving areas shall have a storage capacity of at least one day's processing capacity. All receiving, sorting, bulking, transfer and storage area surfaces shall be constructed of an impervious, reasonably smooth material so designed to be easily cleaned, non-reactive with the waste, and with proper drainage according to applicable codes. Areas used for the receiving, bulking, transfer, lab packing and storage of exempt hazardous materials shall be protected from exposure to the weather and provide secondary containment. Hazardous materials shall not be stored for longer than 180 days.

The construction plans and specifications for the RCC shall include a receiving area, sorting area, separate storage areas for incompatible materials, roads, structures, fences and gates, landscaping and screening devices, personnel and maintenance facilities and utility lines.

e. Staff qualifications.(10 points) The RCC may be staffed by full time and/or part time employees. All RCC staff handling hazardous materials shall have received OSHA 40 hour health

and safety training as described by 29 CFR 1910.120. All staff must have received other applicable training including but not limited to the following:

1. Hazardous materials chemistry
2. Personnel and site safety
3. Proper lab packing techniques
4. Proper transporting of hazardous materials

f. Operation procedures.(10 points) The applicant must prepare an operations plan, a contingency plan, a remedial action plan and a closure/post closure plan. This manual shall include, but is not limited to the following:

1. Operations plan
 - a. Schedule of operations
 - b. Standard receiving procedures for household and CESQG wastes
 - c. Unknowns
 - d. Open or leaking containers
 - e. Large quantities of wastes
 - f. Recycling procedures for usable materials
 - g. Disposal of non-hazardous waste
 - h. Personal protection equipment
 - i. Initial training requirements and continuing education of staff
2. Contingency plan
 - a. Spills
 - b. Fires and/or explosions
 - c. Personal injuries
 - d. Notification of local agencies
3. Closure/post closure plan
 - a. See Chapter 102.12(10) of the Iowa Administrative Code.

g. Project Match.(tie breaker) The applicant shall provide a proposed budget for the implementation and operation of the facility. This budget shall list all local, public and private contributions for the establishment of the facility. The amount of contributions per household population of the region served will be used to break a tie. The Department's award for the facility shall be limited to \$100,000.

567--211.9(455F) Project application. An applicant shall submit a completed application form provided by the Department. The application forms will include, but shall not be limited to, the following information:

1. Name of applicant;
2. Address of applicant;
3. Phone number of the contact person;
4. Documentation of resources including:
 - Identifiable monetary resources;
 - Land, buildings or equipment;
 - Insurance coverage;
 - Personnel.
5. Information satisfying the provisions of rules 211.6(455F) through 211.8(455F).
6. Documentation of consistency with the local and regional solid waste planning efforts.

The comprehensive plans of the various constituent governments should be ammended to reflect the RCC's impact on the region's solid waste stream.

567--211.10(455F) Grant denial. An applicant may be denied for the following reasons:

1. An applicant does not meet eligibility requirements pursuant to the provisions of these rules.
2. An applicant does not provide sufficient information requested in the application proposal pursuant to these rules.
3. The project goals or scope is not consistent with these rules.

These rules are intended to implement Iowa Code sections 455F.8A and 455F.8B.

455F.8A Household hazardous material collection sites.

1. By January 1, 1991, the department shall complete an assessment of the needs of local governments for temporary collection sites for household hazardous materials. Upon completion of the assessment, the department shall design a model facility which would adequately serve the needs identified. During the design phase, the department shall also identify facility permit requirements.
2. a. Following the completion of the assessment and design of the model facility, the department shall set a goal of establishing a three-year competitive grant program to assist in the development of five pilot household hazardous waste reduction and collection programs.
- b. The grant program shall provide for the establishment of five pilot sites so that both rural and urban populations are served.
- c. The department shall develop criteria to evaluate proposals for the establishment of sites. The criteria shall give priority to proposals for sites which provide the most efficient services and which provide local, public, and private contributions for establishment of the sites. The criteria shall also include a requirement that the recipient of a grant design and construct a facility sufficient for the collection, sorting, and packaging of materials prior to transportation of the materials to the final disposal site. Final review of design and construction of the proposed facilities shall be by the department.
- d. The recipients of grants shall provide for collection of hazardous wastes from conditionally exempt small quantity generators in the area of the facility established. The facility shall require payment for collection from conditionally exempt small quantity generators if the amount of waste disposed is greater than ten pounds. Conditionally exempt small quantity generators which deliver their hazardous wastes to the site shall not be required to obtain a permit to transport the hazardous waste to the site.

Ms. Hay gave a brief explanation of the rules. She stated that the rules will provide for three grants per year and primarily establish the criteria for grants. Ms. Hay added that permits for the

facilities will be handled by the Environmental Protection Division. She also noted that the primary emphasis is on the education program that will be run by the local governments. A group of individuals from across the state were utilized in developing the rules.

Charlotte Mohr asked if each regional area will be required to have a mobile unit.

Ms. Hay explained that some will have mobile units and some will be permanent, it is up to the individual regions.

Motion was made by Nancy Lee Siebenmann to approve Notice of Intended Action--Chapter 211, Regional Collection Centers for Household Hazardous Materials. Seconded by Charlotte Mohr.

Discussion followed regarding various aspects of the rules.

Motion carried unanimously.

APPROVED AS PRESENTED

MONTHLY REPORTS

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The following monthly reports are enclosed with the agenda for the Commission's information.

1. Rulemaking Status Report
2. Variance Report
3. Hazardous Substance/Emergency Response Report
4. Enforcement Status Report
5. Contested Case Status Report

Members of the department will be present to expand upon these reports and answer questions.

IOWA DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
RULEMAKING STATUS REPORT
November 1, 1992

PROPOSAL	NOTICE TO COMMISSION	NOTICE PUBLISHED	RULES REVIEW COMMITTEE	HEARING	FINAL SUMMARY TO COMMISSION	RULES ADOPTED	RULES PUBLISHED	RULE EFFECTIVE
1. Ch. 1 - Conflict of Interest	*12/21/92	*1/20/93	*2/ /93	*2/ /93	-----	-----	-----	-----
2. Ch. 20, 22-25, 29 - Air Quality Rule Updates	8/17/92	9/16/92	10/13/92	10/20/92 10/21/92 10/22/92	*12/21/92	*12/21/92	*1/20/93	*2/24/93
3. Ch. 82 - Well Contractors Certification	8/17/92	9/16/92	10/13/92	10/10/92	11/16/92	*11/16/92	*12/09/92	*1/13/93
4. Ch. 100 & 102 - Permits Special and Infectious Waste	*12/21/92	*1/20/93	*2/ /93	*2/ /93	-----	-----	-----	-----
5. Ch 102 - Financial Assurance Mechanism for Closure and Post-Closure Costs at Sanitary Disposal Projects	10/19/92	11/11/92	*12/ /92	*12/01/92 *12/02/92 *12/03/92	*1/18/93	*1/18/93	*2/17/93	*3/24/93
6. Ch. 135 - UST/Ability to Pay	*12/21/92	*1/20/93	*2/ /93	*2/ /93	-----	-----	-----	-----
7. Ch. 211 - Regional Collection Centers for Household Hazardous Materials	11/16/92	*12/09/92	*1/ /93	*1/ /93	-----	-----	-----	-----

MONTHLY VARIANCE REPORT

Month: October, 1992

No.	Facility	Program	Engineer	Subject	Decision	Date
1.	City of Graettinger	Wastewater Construction	DeWild, Grant, Reckert & Associates, Inc.	Design Flows - Lagoons	Approved	10/19/92
2.	City of Graettinger	Wastewater Construction	DeWild, Grant, Reckert & Associates, Inc.	Detention Time - Lagoons	Approved	10/19/92
3.	Jones County	Flood Plain	NNW, Inc.	Freeboard	Approved	10/08/92
4.	Decatur County Soil & Water Conservation District and Decatur County Board of Supervisors-Site E17	Flood Plain	USDA - Soil Conservation Service	Storm/Storage Capacity	Approved	10/22/92
5.	Decatur County Soil & Water Conservation District and Decatur County Board of Supervisors-Site E20	Flood Plain	USDA - Soil Conservation Service	Storm/Storage Capacity	Approved	10/22/92
6.	City of Anamosa	Wastewater Operation	Snyder & Associates	Monitoring Frequency	Denied	10/15/92
7.	John Deere Dubuque Works - Landfill	Solid Waste	IIW Engineers	Cover	Approved	10/15/92
8.	City of Cedar Rapids	Watersupply Construction -	Brice, Petrides-Donohue	Construction Materials - (Dry Chemical Feed System)	Approved	10/08/92
9.	City of Cedar Rapids	Watersupply Construction -	Brice, Petrides-Donohue	Construction Materials - (Chemical Storage)	Approved	10/08/92

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Report of Hazardous Conditions

During the period October 1, 1992 through October 31, 1992, reports of 83 hazardous conditions were forwarded to the Central Office. Two incidents are highlighted below. A general summary and count by field office is attached. These do not include releases from underground storage tanks, which are reported separately.

Date Reported and County	Description: Material, Amount, Date of Incident, Cause, Location, Impact	Responsible Party	Response and Corrective Actions
10/01/92 Floyd	An aboveground storage tank was filled on September 30, 1992. The tank had corrosion holes in the bottom that gave way as the tank was being filled. Approximately 75 gallons of diesel fuel spilled across a concrete apron and soaked into the ground.	Mike Marshall 1180 Balsam Ave. Nora Springs, IA	Contaminated soil was overexcavated and land applied on nearby farmland. No further action is required.
10/25/92 Wright	A pump was left running during a batch process on October 25. 2000 gallons of a sulfuric acid solution ran into a storm sewer system and then into a drainage ditch. Dead minnows were observed at the outfall.	Ag Processing Box 85 Eagle Grove, IA	The leading edge of the plume was identified using pH meters. Two limestone dikes were built across the ditch. The acidic solution was neutralized as it flowed through the dikes. Damage to aquatic life was minimal.

NUMBERS IN PARENTHESES REPRESENT REPORTS FOR THE SAME PERIOD IN FISCAL YEAR 1992

Substance TypeMode

Month	Total # of Incidents	Petroleum Product	Agri. Chemical	Other Chemicals and Substances	Handling and Storage	Pipeline	Highway Incident	RR Incident	Fire	Other
Oct.	83(87)	54(52)	8(4)	21(31)	51(42)	0(2)	25(24)	2(2)	0(0)	5(17)
Nov.										
Dec.										
Jan.										
Feb.										
March										
April										
May										
June										
July										
August										
Sept.										

Total Number Of Incidents Per Field Office This Period:

1	2	3	4	5	6
12	11	11	9	14	26

Enforcement Report Update

The following new enforcement actions were taken last month:

Name, Location and Field Office Number	Program	Alleged Violation	Action	Date
Frank Hulshizer Benton County (1)	Solid Waste	Illegal Disposal	Order/Penalty	10/07/92
Breeden Shop Building, Linn County (1)	Flood Plain	Construction Contrary to Permit Conditions	Order/Penalty	10/07/92
Waucoma, City of (1)	Drinking Water	Monitoring/Reporting-Radioactivity	Order/Penalty	10/07/92
DeWayne McCoy d/b/a DeWayne's Auto Sales, Newton (5)	Underground Tank	Closure Investigation	Order/Penalty	10/07/92
Tony L. Hoyt d/b/a Lake Wilderness Campground, Lee County (6)	Solid Waste Air Quality	Illegal Disposal Open Burning	Order/Penalty	10/15/92
Reed's Interstate Sales, New Virginia (5)	Drinking Water	Monitoring/Reporting-Bacteria; MCL-Bacteria	Order/Penalty	10/15/92
Cargill, Inc., Walnut Grove Research Farm, Cass County (4)	Wastewater	Prohibited Discharge	Order/Penalty	10/15/92
Tracy Below, Hardin County (5)	Wastewater	Prohibited Discharge	Order/Penalty	10/15/92
Gary M. Lund d/b/a Lund Construction, Wright County (2)	Solid Waste	Illegal Disposal	Order/Penalty	10/15/92
Grand Laboratories, Inc., Larchwood (3)	Wastewater	Construction Without Permit; Monitoring/Reporting; Prohibited Discharge	Order/Penalty	10/15/92
Rutland, City of (2)	Drinking Water	Operational Violations	Order/Penalty	10/15/92
Iowa Falls, City of (2)	Wastewater	Discharge Limits	Order	10/15/92
John Prins d/b/a Bradford Implement Co., Bradford (2)	Underground Tank	Closure Investigation	Referred to AG	10/19/92
Marion Stark, Kellerton (4)	Underground Tank	Closure Investigation	Referred to AG	10/19/92
Stone City General Store, Inc., Anamosa (1)	Drinking Water	Operation Without Permit; Monitoring/Reporting - Nitrate	Referred to AG	10/19/92
Central Paving Corporation, Indianola (5)	Underground Tank	Closure Investigation	Referred to AG	10/19/92
Don Smith, Dallas Center (5)	Underground Tank	Failure to Register; Closure Investigation	Referred to AG	10/19/92
Dick White, Wellman (6)	Air Quality	Open Burning	Referred to AG	10/19/92
Lawrence Fritz, Lee County (6)	Wastewater	Prohibited Discharge	Order/Penalty	10/22/92
Cargill, Inc., Eddyville (5)	Solid Waste Wastewater	Leachate Control; Operational Violations; Certified Operator	Order/Penalty	10/22/92
International Hydrofoam, Inc. f/k/a Foulke Rubber Products Co., Pella (5)	Underground Tank	Remedial Action	Order	10/22/92

Environmental Protection Commission Minutes

November 1992

Summary of Administrative Penalties

The following administrative penalties are due:

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
Bernard Gavin Veterinary Clinic (Wellsburg)	UT	600	5-02-92
Sunny Brae Golf & Country Club (Osage)	WS	500	8-19-92
Orville Reid, Jr. (Cedar County)	WW	500	8-20-92
Don Grothe d/b/a Don's Motor Mart (Lake Mills)	UT	300	9-10-92
Delano's Lounge (Washington)	WS	500	9-20-92
Des Moines, City of	WW	1,000	9-20-92
Midway Water & Lighting (Marion)	WS	860	10-07-92
Robert Plendl d/b/a Plendl Bros. Trucking (Kingsley)	UT	300	10-15-92
Shirley Pecoy d/b/a Joe's Place (Sexton)	UT	300	10-19-92
63-80 Cafe (Malcom)	WS	1,000	10-22-92
Cedar Springs Wesleyan Camp (Floyd)	WS	500	10-24-92
Dairy Mart (Ainsworth)	WS	300	10-27-92
North Liberty Water, Inc. (Johnson County)	WS	300	10-29-92
Seven Ponds Park (Des Moines County)	WS	535	11-03-92
Rankin Roofing & Siding Co. (Knoxville)	AQ	500	11-09-92
Gold Slipper (Dunlap)	WS	75	11-18-92
Ron Jungling d/b/a Jungling Texaco (Wellsburg)	UT	550	11-18-92
Kingsbury Inn (Columbus Junction)	WS	375	11-21-92
Sioux Harbor Enterprises (Sioux City)	UT	1,000	11-23-92
Rudd Brothers Tire (Drakesville)	UT	300	11-23-92
Hoover Hatchery, Inc. (Floyd Co.)	SW	300	11-25-92
James J. Bielfeldt (Crawford Co.)	FP	600	11-26-92
Buffalo Bill Estates, Inc. (Camanche)	WS	415	11-29-92
Harrison County Landfill	SW	1,000	11-30-92
W. Reschly d/b/a Reschly Metals (Washington Co.)	AQ	250	12-01-92
Marvin Kruse d/b/a K & C Feeds (Luana)	UT	300	12-01-92
Albert Rohrer/Chelmer Flynn (Scott Co.)	SW	1,000	12-03-92
Tracy Below (Hardin Co.)	WW	1,000	12-16-92
Gary Lund d/b/a Lund Construction (Wright Co.)	SW	600	12-16-92
Frank Hulshizer (Benton Co.)	SW	500	12-16-92
Waucoma, City of	WS	200	12-16-92
Reed's Interstate Sales (New Virginia)	WS	525	12-16-92
Breeden Shop Building (Linn Co.)	FP	200	12-16-92
Cargill, Inc./Walnut Grove Research (Cass Co.)	WW	1,000	12-16-92
DeWayne McCoy d/b/a DeWayne's Auto Sales (Newton)	UT	300	12-17-92
Rutland, City of	WS	200	12-19-92
Grand Laboratories, Inc. (Larchwood)	WW	1,000	12-20-92
Carson Grain & Implement (Coggon)	UT	1,000	-----
Tony Hoyt d/b/a Lake Wilderness (Lee Co.)	SW	1,000	-----
Cargill, Inc. (Eddyville)	SW/WW	1,000	-----
Lawrence Fritz (Lee Co.)	WW	100	-----

The following cases have been referred to the Attorney General:

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
OK Lounge (Marion)	WS	448	11-01-87
Richard Davis (Albia)	SW	1,000	2-28-88
Eagle Wrecking Co. (Pottawattamie Co.)	SW	300	5-07-89
*Twelve Mile House (Bernard)	WS	119	5-20-89
*Lawrence Payne (Ottumwa)	SW	425	6-19-89
William L. Bown (Marshalltown)	SW	1,000	10-01-89
Wellendorf Trust (Algona)	AQ/SW	460	2-12-90
Donald P. Ervin (Ft. Dodge)	SW	669	3-05-90
Amoco Oil Company (Des Moines)	UT	1,000	8-15-90
Gerald G. Pregler (Dubuque Co.)	SW	1,000	9-02-90
Donald R. Null (Clinton Co.)	AQ/SW	1,000	9-06-90
Robert and Sally Shelley (Guthrie Center)	SW	1,000	3-04-91
Fred Varner (Worth Co.)	SW	950	4-11-91
Buffalo Bill Estates, Inc. MHP (Camanche)	WS	245	5-14-91
Honey Creek Camping Resort (Crescent)	WS	245	6-13-91
F.R. Thomas/F.R. Thomas, Jr. d/b/a Clair View Acres Store (Delhi)	WS	1,000	8-04-91
*M & W Mobile Home Park (Muscatine)	WW	200	8-21-91
Vern Starling (Boone Co.)	SW	690	9-15-91
Capitol Oil Co. d/b/a Dakota MHP (Iowa City)	WW	1,000	11-03-91
Lloyd Dunton (Iowa Co.)	SW	300	11-07-91
Buffalo Bill Estates, Inc. (Clinton Co.)	WS	440	11-19-91
Vincent Martinez d/b/a Martinez Sewer (Davenport)	HC	500	1-01-92
Vernus Wunschel d/b/a Wunschel Oil Co. (Ida Grove)	UT	300	1-12-92
Dilts Trucking, Inc. (Crescent)	UT	500	1-12-92
Buffalo Bill Estates, Inc. MHP (Camanche)	WS	500	1-25-92
R.D. Lofton, DVM (Osage)	UT	300	2-12-92
Bernard Sadler/Ger-Mar Farms (Allamakee Co.)	SW	500	3-28-92
Kenneth Bode (Mills Co.)	SW	300	4-27-92
Van Hulzen Oil Company (Oskaloosa)	UT	700	4-27-92
*Todd D. Behounek and Paul Behounek (Tama Co.)	SW	100	5-21-92
V.R. Dillingham d/b/a Barb's Service (Everly)	UT	600	5-21-92
Charlie Fox d/b/a Charlie's Standard (Hamburg)	UT	600	5-21-92
Kris Ehlinger d/b/a K.J.'s Convenience (LeClaire)	UT	600	5-21-92
Leonard Page d/b/a Kent Store (Kent)	UT	300	5-25-92
Tandem Oak Park Associates (Ft. Dodge)	WS	405	6-03-92
Dick White (Washington County)	AQ	250	8-15-92
Central Paving Corporation (Indianola)	UT	300	8-20-92
Marion Stark (Kellerton)	UT	300	8-26-92

The following administrative penalties have been appealed:

NAME/LOCATION	PROGRAM	AMOUNT
Amoco Oil Co. (Des Moines)	UT	1,000
Iowa City Regency MHP (Iowa City)	WW	1,000
1st Iowa State Bank (Albia)	SW	1,000
Cloyd Foland	FP	800
Amoco Oil Co. (West Des Moines)	UT	1,000
Sioux City, City of	WW	1,000
Des Moines, City of	HC	1,000
Van Dusen Airport Services (Des Moines)	HC	1,000
Maple Crest Motel and MHP (Mason City)	WS	350
Plymouth County Solid Waste Agency	SW	1,000
Chicago & North Western Transportation, et.al.	SW	1,000
Joe Eggers, Jr., et.al. (St. Ansgar)	SW	1,000
McDowell Dam #1 (Lee Co.)	FP	500
McDowell Dam #2 (Lee Co.)	FP	500
Oskaloosa Food Products Corp. (Oskaloosa)	WW	1,000
Oskaloosa, City of	WW	1,000
Westside Park for Mobile Homes (Lee Co.)	WW	250
Monona Co. SLF/Ronald L. Hanson (Monona Co.)	SW	1,000
Casey's General Store (Redfield)	UT	1,000
Tower Club (Cresco)	WS	400
Wiota, City of	WS	500
Hickory Hollow Water Co. (Ankeny)	WS	400
Dell Oil Ltd. (Sioux City)	HC	1,000
Nordstrom Oil Company (Cedar Rapids)	HC	1,000
White Consolidated/Frigidaire Co. (Jefferson)	WW	1,000
D. Frank/D. Steib/Interstate Salvage (Webster Co.)	AQ	600
Linden, City of	WS	1,000
William H. Viner (Emerson)	UT	600
Partners-Four-Investments, Inc. (Rockwell)	UT	700
Farmers Cooperative Elevator (Martelle)	HC	1,000
Partners-Four-Investments, Inc. (Marble Rock)	UT	700
Community Cooperative Oil Co. (Marcus)	UT	600
Community Cooperative Oil Co. (Paullina)	UT	600
Community Cooperative Oil Co. (Remsen)	UT	600
Humboldt County Sanitary Landfill Commission	SW	1,000
Wayne Transportation, Inc. (Greene)	WW	1,000
Mulgrew Oil Company (Dubuque)	HC	500
Clement Auto and Truck, Inc. (Webster City)	UT	500
John Staub d/b/a Mr. Convenient (Burlington)	UT	600
Charles Kerr (Sloan)	UT	600
Swaledale, City of	WS	400
Stringtown Country Cafe (Lenox)	WS	1,000
Lincoln Farm and Home Service (Henderson)	WW	1,000
Joslin Enterprises, Ltd. (Anamosa)	UT	600
Country Estates Mobile Home Park (Long Grove)	WS	765
Rockford Golf and Country Club (Rockford)	WS	200
Chickasaw Co. SLF, et.al. (Chickasaw Co.)	SW	1,000
Richard Newman (Des Moines Co.)	SW	500
Gerks Seasonal MHP and Resort (Spirit Lake)	WS	200
Plymouth Cooperative Oil Co. (Hinton)	WW	1,000
LaVerne Rehder (Union)	UT	300
PAM Fuels, Inc. (Milford)	UT	1,000
Randy Bonin/Vickie Brannick (Hardin Co.)	SW	500
Ida County Sanitary Landfill (Ida Co.)	SW	1,000
Dean Hoeness d/b/a Hoeness & Sons (Winterset)	UT	300
Waste Systems Corp./Ronald Roth (Winnebago Co.)	SW	1,000
Timberlane Addition (Ft. Dodge)	WS	500
Decatur, City of	UT	600
Leisure Lake Inn (Bernard)	WS	880
South High Point Well Assn. #1 (Iowa City)	WS	600
Case Power and Equipment (Decorah)	WS	500
Pony Creek Park/Mills County Conservation Board	WS	50
Cedar Valley Corporation (Waterloo)	AQ	1,000
King's Terrace Mobile Home Court (Ames)	WW	500
ITWC, Inc. (Malcom)	AQ	1,000
Donald Ferkle (Muscatine Co.)	AQ	600
Lloyd Decker (Floyd Co.)	SW	1,000
Eldon Krambeck (Scott Co.)	AQ	1,000
United Tile & Brick (Adel)	WW	1,000
Country Mobile Home Court (New Hampton)	WS	845

The following administrative penalties were paid last month:

NAME/LOCATION	PROGRAM	AMOUNT
Krause Feedlot (Hardin Co.)	WW	200
Chalstrom Beach of Okoboji (Spirit Lake)	WS	100
Breitbach's Tap (Sherrill)	WS	50
Nob Hill Supper Club (Decorah)	WS	400
Country Living Care Center (Toledo)	WS	150
Rocky Nook Resort (Delhi)	WS	100
Calmar Foods aka Country Lane Foods (Calmar)	WW	1,000
Stone City General Store, Inc. (Anamosa)	WS	300
Ossian Chemical, Inc. (Davenport)	AQ	250
TOTAL		2,550

The \$500 penalty assessed to Paper Recovery Corporation (Sioux City) has been rescinded.

ANNUAL ADMINISTRATIVE PENALTIES

PROGRAM	WASTEWATER	AIR QUALITY	SOLID WASTE	DRINKING WATER	UST	FLOOD PLAIN	WATER USE	HC NOTICE	TOTAL
FY 86	\$ 2,215(05)	\$ 3,225(05)	\$ 2,750(06)	\$ 2,457(22)	\$-----	\$-----	\$-----	\$-----	\$ 10,647(038)
FY 87	17,060(26)	7,600(13)	10,100(18)	7,278(59)	-----	150(01)	-----	600(01)	42,788(118)
FY 88	20,742(40)	14,525(24)	12,773(22)	14,411(82)	-----	1,200(02)	150(02)	3,750(07)	67,551(179)
FY 89	15,977(23)	8,634(20)	4,758(12)	18,054(111)	500(01)	800(01)	-----	600(01)	49,323(169)
FY 90	10,850(13)	10,455(21)	8,546(15)	11,369(63)	-----	1,536(05)	3,000(03)	500(01)	46,256(121)
FY 91	16,325(26)	8,375(12)	5,163(15)	12,740(73)	-----	400(02)	-----	-----	43,003(128)
FY 92	20,610(24)	29,750(42)	9,612(19)	23,530(128)	7,850(12)	800(01)	-----	500(01)	92,652(227)
TOTAL	103,779(157)	82,564(137)	53,702(105)	89,839(538)	8,350(13)	4,886(12)	3,150(05)	5,950(11)	352,320(980)

ADMINISTRATIVE PENALTY REPORT

The table below summarizes administrative penalty assessments for FY 1993. Other summaries exist for prior fiscal years. The first column of this table is a rough breakdown of the environmental program and violation types for which penalties have been assessed. The other columns state the dollar amounts collected during the stated time periods, and the number of cases in parentheses.

Violation Type	FY-93 1st Qtr	FY-93 2nd Qtr	FY-93 3rd Qtr	FY 93 4th Qtr	TOTAL FY93
WW Discharge	\$ 5,950(08)				\$ 5,950(08)
WW Monitoring	500(01)				500(01)
WW Other	2,000(02)				2,000(02)
SW Permit	500(01)				500(01)
SW Open Dumping	1,350(03)				1,350(03)
Air Permit	350(02)				350(02)
Air Open Burning	1,000(01)				1,000(01)
WS Monitoring	11,380(63)				11,380(63)
WS Permit	----				----
Floodplain	500(01)				500(01)
HC Notice	1,000(01)				1,000(01)
Water Use	----				----
Underground Tanks	3,300(06)				3,300(06)
TOTALS	27,830(89)				27,830(89)

ADMINISTRATIVE PENALTY REPORT

The table below summarizes administrative penalty assessments for FY 1992. Other summaries exist for prior fiscal years. The first column of this table is a rough breakdown of the environmental program and violation types for which penalties have been assessed. The other columns state the dollar amounts collected during the stated time periods, and the number of cases in parentheses.

Violation Type	FY-92 1st Qtr	FY-92 2nd Qtr	FY-92 3rd Qtr	FY 92 4th Qtr	TOTAL FY92
WW Discharge	\$ 2,500(03)	\$ 2,000(02)	\$ 4,000(04)	\$ 4,650(07)	\$ 13,150(16)
WW Monitoring	----	----	700(02)	1,250(01)	1,950(03)
WW Other	3,510(03)	2,000(02)	----	----	5,510(05)
SW Permit	----	1,050(01)	2,950(04)	2,052(03)	6,052(08)
SW Open Dumping	850(03)	1,750(04)	250(01)	710(03)	3,560(11)
Air Permit	5,100(06)	5,350(08)	8,750(11)	9,300(13)	28,500(38)
Air Open Burning	----	650(02)	300(01)	300(01)	1,250(04)
WS Monitoring	2,250(22)	3,070(20)	10,835(62)	6,725(22)	22,880(126)
WS Permit	----	400(01)	250(01)	----	650(02)
Floodplain	800(01)	----	----	----	800(01)
HC Notice	----	----	500(01)	----	500(01)
Water Use	----	----	----	----	----
Underground Tanks	----	1,000(01)	3,250(06)	3,600(05)	7,850(12)
TOTALS	15,010(38)	17,270(41)	31,785(93)	28,587(55)	92,652(227)

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
ATTORNEY GENERAL REFERRALS
November 1, 1992**

Name, Location and Region Number	Program	Alleged Violation	DNR Action	New or Updated Status	Date
Al's Corner Oil Co Carroll (4)	Hazardous Condition	Remedial Action	Order	Referred	12/16/91
Amana Colonies Golf Course Amana (6) Updated	Wastewater	Construction Without Permit	Order	Referred Petition Filed Consent Decree (\$4,500/Civil/ Injunction)	2/17/92 10/06/92 10/08/92
American Meat Protein Corp Lytton (3)	Wastewater	Pretreatment	Referred to Attorney General	Referred Petition Filed	10/21/91 4/30/92
Ames Golf & Country Club Ames(5)	Wastewater	Op. Violations Effluent Limits	Referred to Attorney General	Referred	8/19/91
Amoco Oil Company Des Moines (5)	Underground Tank	Referred to Remedial Action	Referred Attorney General	Referred Suit Filed Trial Date	8/21/90 10/15/90 9/27/91 3/29/93
Archer Daniels Midland Co. Clinton County (6)	Wastewater Air Quality	Prohibited Discharge Emission Stds.	Referred to Attorney General	Referred Amended Petition Filed Referred Petition Filed Trial Date	3/18/91 10/28/91 5/20/91 10/04/91 1/18/93

DEPARTMENT OF NATURAL RESOURCES
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Name, Location and Region Number		Program	Alleged Violation	DNR Action	New or Updated Status	Date
Behounek, Paul and Todd Tama (5)		Air Quality	Open Burning	Referred to Attorney General	Referred	5/18/92
Bell Watcher, Inc. Poweshiek Co. (5)		Wastewater	Operation Violations	Referred to Attorney General	Referred Consent Decree Reactivated Application for Stipulation Penalty	9/20/89 4/23/90 12/23/91 9/04/92
Birusingh, Kirshna A. Crescent (4)		Solid Waste	Illegal Disposal	Referred to Attorney General	Referred	6/15/92
Bode, Kenneth Mills County (4)	Updated	Solid Waste	Illegal Disposal	Order/Penalty	Referred Motion for Summary Judgment Default Judgment (\$300/Admin.)	6/15/92 8/26/92 9/24/92
Boley, Fred d/b/a Boley Oil McCausland (6)		Hazardous Condition	Remedial Action	Order	Referred	2/17/92
Bridgestone/Firestone, Inc. Des Moines (5)		Wastewater Hazardous Condition	Prohibited Discharge/ Failure/Notify	Referred to Attorney General	Referred Trial Information Filed	5/21/90 7/06/92
Bryant, Robert D.V.M. d/b/a Cherokee Hog Farms Aurelia (3)		Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Trial Information	7/15/91 5/19/92
Buffalo Bill Estates, Inc. Camanche (6)		Drinking Water	Mtrg/Rprtng- Nitrate	Order/Penalty	Referred Motion for Summary Judgment	6/17/91 9/03/92
Buffalo Bill Estates, Inc. Clinton County (6)		Drinking Water	Mtrg/Rprtng- MCL - Bacteria	Order/Penalty	Referred Motion for Summary Judgment	12/16/91 9/03/92
Capitol City Oil Co. d/b/a Dakota Mobile Home Park Iowa City (6)		Wastewater	Monitoring/ Reporting	Order/Penalty	Referred	2/17/92
Carney, Don and Gertrude Ft Dodge (2)		Solid Waste	Illegal Disp.	Order/Penalty	Referred Petition Filed	4/15/91 3/25/92
Central Paving Corp. Indianola (5)	New	Underground Tank	Closure Investigation	Order/Penalty	Referred	10/19/92
Chalfant, Milo, et al. Webster City (2)		Solid Waste	Illegal Disp.	Order/Penalty	Referred Suit Filed Trial Date	9/20/89 8/08/90 4/08/92
Chicago, Central and Pacific R.R. Ft. Dodge (2)		Wastewater	Mtrg/Rprtng Effluent Limits	Referred to Attorney General	Referred	9/21/92
Chicago & Northwestern Transportation Co.		Hazardous Condition	Remedial Action	Order	Petition for Judicial Review Petition for Judicial Review Petition for Judicial Review Order/Change Venue to Hardin Co. Motion to Consolidate Brief Due Respondent's Brief Due Reply Brief Due Oral Arguments	8/19/91 8/14/91 9/16/91 11/21/91 12/31/91 9/01/92 10/16/92 11/16/92 12/03/92
Blue Chip Enterprises						
Hawkeye Land Company Iowa Falls (2)						

DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
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November 1, 1992

Name, Location and Region Number		Program	Alleged Violation	DNR Action	New or Updated Status	Date
Chicago & Northwestern Transportation Co. Stanwood (6)		Air Quality	Open Burning	Referred to Attorney General	Referred	5/07/92
Cota Industries, Inc. Des Moines (5)	Updated	Hazardous Condition	Remedial Action	Order	Referred	4/15/91
				Order	Petition for Judicial Review Motion to Dismiss Order Granting Motion to Dismiss Notice of Appeal Appellant Filed Brief State Filed Brief Oral Arguments Affirmed	4/18/91 5/08/91 7/23/91 8/13/91 11/11/91 1/10/92 9/17/92 10/21/92
Davis, Richard & Sonja (5)		Solid Waste	Open Unpermitted Dumping	Referred to Attorney General	Referred Suit Filed Default Judgement Filed Motion to Deny Default Motion Overruled	6/22/88 8/11/88 4/21/89 6/14/89 10/04/89
Dillingham, V.R. Everly (3)		Underground Tank	Closure Investigation	Order/Penalty	Referred	6/15/92
Dilts Trucking, Inc. Crescent (4)		Underground Tank	Closure Investigation	Referred to Attorney General	Referred	4/20/92
Dunton, Lloyd Iowa County (6)		Solid Waste	Illegal Disp.	Order/Penalty	Referred Petition Filed	12/16/91 8/26/92
Ecology Enterprises, Inc; Hollis D. DeVoe; Michael Murray; Robert Rausch Chickasaw County (1)		Solid Waste	Illegal Disposal	Referred to Attorney General	Referred	6/15/92
Ehlinger, Kris d/b/a K.J.'s Convenience & Deli Maquoketa (6)	Updated	Underground Tank	Site Check	Order/Penalty	Referred Motion for Judgment	8/17/92 10/06/92
Ervin, Don Webster County (2)	Updated	Solid Waste	Operation Without Permit	Order/Penalty	Referred Motion for Summary Judgment Hearing Held Judgment for \$1,000 Execution & Order to Levy Application to Condemn Funds Partial Payment Received (\$331)	4/16/90 6/02/90 7/02/90 7/13/90 9/28/90 11/27/90 11/30/90
			Permit Violations	Referred to Attorney General	Referred Temporary Injunction Contempt Hearing Order of Contempt Motion for Stay Order Granting Stay Contempt Reversed Application for Further Review	9/16/91 9/18/91 12/06/91 12/20/91 12/26/91 12/26/91 9/29/92 10/16/92
Faber, Don Des Moines (5)		Solid Waste	Illegal Disposal	Referred to Attorney General	Referred	5/18/92
First Iowa State Bank Albia (2)		Solid Waste	Open Dumping	Order/Penalty	Petition for Judicial Review Oral Argument Ruling on Petition for Judicial Review Notice of Appeal State Filed Brief	4/12/91 11/04/91 3/02/92 3/31/92 8/03/92
Fox, Charlie Hamburg (4)		Underground Tank	Site Check	Order/Penalty	Referred	6/15/92
Giese Construction Co. Ft. Dodge (2)		Solid Waste Air Quality Burning	Illegal Dis- posal; Open	Referred to Attorney General	Referred	5/29/92

DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
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Name, Location and Region Number		Program	Alleged Violation	DNR Action	New or Updated Status	Date
Humboldt County Sanitary Landfill (2)		Solid Waste	Cover Viola- tions; Other	Referred to Attorney General	Referred	5/29/92
IBP, inc. Columbus Junction (6)	Updated	Wastewater	DNR Defendant	Defense	Suit Filed Answered IBP Brief Filed State Brief Filed Oral Arguments Judgment for DNR	3/17/92 4/03/92 5/26/92 7/31/92 9/22/92 10/28/92
Iowa City, City of (6)		Solid Waste	Cover Violations	Referred to Attorney General	Referred	4/20/92
Lakeshore Drive, Inc. et al. Osceola (5)		Flood Plain	Reconstruction	Order	Referred Petition Filed Judgment vs. Lakeshore	11/20/89 2/07/90 4/09/90
Landfill of Des Moines, Inc Des Moines #4 (5)		Solid Waste	Compliance Schedule; Other	Order/Penalty	Referred Petition Filed	12/16/91 9/01/92
Landfill of Des Moines, Inc. Des Moines #5 (5)		Solid Waste	Compliance Schedule; Other	Order/Penalty	Referred Petition Filed	5/18/92 9/01/92
Loften, R. D. d/b/a Loften Veterinary Services Osage (2)		Underground Tank	Closure Investigation	Order/Penalty	Referred	4/20/92
Lucas-Monroe County Sanitary Landfill (5)		Solid Waste	Other	Referred to Attorney General	Referred	5/29/92
Lytton, City of (3)		Wastewater	Pretreatment	Referred to Attorney General	Referred	5/18/92
Maassdam, Donald Rolfe (3)		Solid Waste	Operation Without Permit	Order	Referred Petition Filed	1/21/92 8/26/92
MacMillan Oil Co., Inc.; The Graham Group, Inc. Des Moines (5)		Wastewater	Prohibited Dis- charge; Remedial Action	Referred to Attorney General	Referred	7/20/92
Martinez, Vincent d/b/a Martinez Sewer Service Davenport (6)		Hazardous Condition	Remedial Action	Order/Penalty	Referred	2/17/92
Bob McKinniss Excavating & Grading v. IDNR		Hazardous Condition	DNR Defendant	Defense	Suit Filed DNR Motion to Dismiss Ruling on Motion to Dismiss and Bifurcation	3/12/91 5/01/91 3/26/92
Midwest Environmental Law Center v. EPC	Updated	Air Quality	DNR Defendant	Defense	Suit Filed Answer Filed Motion for Summary Judgment Hearing on Motion Summary Judgment Denied Trial Date	12/03/91 12/23/91 4/10/92 5/22/92 5/22/92 12/22/92
Monfort, Inc. Des Moines (5)		Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Trial Info. Filed (Polk Co.) Pre-Trial Hearing Trial Date	12/11/89 7/19/91 7/31/92 10/05/92
New Virginia Sanitary District (5)		Wastewater	Mtrg/Rprtng	Referred to Attorney General	Referred Petition Filed	9/16/91 5/19/92
Nollen, Harold d/b/a Nollen Phillips 66 Harlan (4)		Underground Tank	Closure Investigation	Referred to Attorney General	Referred	4/20/92

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
ATTORNEY GENERAL REFERRALS
November 1, 1992**

Name, Location and Region Number		Program	Alleged Violation	DNR Action	New or Updated Status	Date
Orchard, City of (2)		Drinking Water	Mtrg/Rprtg MCL-Bacteria Operation Violations	Referred to Attorney General	Referred	6/17/91
Page, Leonard Kent (4)		Underground Tank	Closure Investigation	Order/Penalty	Referred	6/15/92
Pringle, Michael and Brenda d/b/a Follet's Tap Camanche (6)		Drinking Water	Mtrg/Rprtg Bacteria/Nitrate	Referred to Attorney General	Referred	6/15/92
Prins, John; Bradford Paving Bradford (2)	New	Underground Tank	Closure Investigation	Order	Referred	10/19/92
Sadler, Bernard and Ger Mar Farms, Inc. Allamakee Co. (1)		Solid Waste	Illegal Disposal	Order/Penalty	Referred	9/21/92
Schultz, Albert and Iowa Iron Works Ely (1)		Solid Waste	Open Dumping	Referred to Attorney General	Referred Suit Filed Trial Date	9/20/89 8/08/90 4/19/93
Shelley, Roberto and Sally Guthrie Center (4)		Solid Waste	Illegal Disposal	Order/Penalty	Referred Petition Filed Trial Date Ruling (\$1,000/Admin.; Clean-up Ordered) Notice of Appeal	4/15/91 7/18/91 5/19/92 8/25/92 9/17/92
Smith, Don Dallas Center (5)	New	Underground Tank	Closure Investigation/ Failure to Register	Order	Referred	10/19/92
Soo Line Railroad Co. Mason City (2)		Wastewater Haz Condition	Prohibited Discharge Remedial Action	Referred to Attorney General	Referred	7/15/91
Stark, Marion Kellerton (4)	New	Underground Tank	Closure Investigation	Order/Penalty	Referred	10/19/92
Stone City General Store Anamosa (1)	New	Drinking Water	Operation Without Permit; Mtrg/Rprtg -Nitrate	Order/Penalty	Referred	10/19/92
Sun Wise Systems Corp. Sac City (3)		Wastewater	Pretreatment	Referred to Attorney General	Referred Petition Filed Trial Date	10/15/90 11/27/91 1/26/93
Tama City of (5)		Wastewater	Discharge Limitations	Referred to Attorney General	Referred	6/15/92
Tandem-Oak Park Assoc. Fort Dodge (2)		Drinking Water	Mtrg/Rprtg Bacteria/Inorg. Organics/Rads.	Order/Penalty	Referred	7/20/92
Thomas, Fred R. d/b/a Clair-View Acres, Delhi (1)	Updated	Drinking Water	Mtrg/Rprtg	Order/Penalty	Referred Motion for Judgment Hearing Ruling (\$1,000/Admin.)	9/16/91 8/12/92 9/22/92 9/29/92
Van Hulzen, Kenneth Oskaloosa (5)		Underground Tank	Closure Investigation	Order/Penalty	Referred	6/15/92
Vonderhaar, Leonard Holy Cross (1)		Air Quality	Open Burning	Referred to Attorney General	Referred	8/17/92

DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
ATTORNEY GENERAL REFERRALS
November 1, 1992

Name, Location and Region Number		Program	Alleged Violation	DNR Action	New or Updated Status	Date
White, Dick Wellman (6)	New	Air Quality	Open Burning	Order	Referred	10/19/92
Winterset, City of (5)		Wastewater	Effluent Limits	Referred to Attorney General	Referred	7/20/92
Wunschel, Vernus Ida Grove (3)		Underground Tank	Closure Investigation	Order/Penalty	Referred	2/17/92
Yentes, Clifford Council Bluffs (4)		Solid Waste	Illegal Disposal	Referred to Attorney General	Referred	4/20/92
Zahrobsky, Tom Lucaş (5)	Updated	Wastewater	Prohibited Discharge	Order/Penalty	Referred Penalty Paid (\$500)	5/26/92 5/19/92

DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
CONTESTED CASES
NOVEMBER 1, 1992

DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
1-23-86	Oelwein Soil Service	Administrative Order	WW	Landa	Hearing continued.
5-12-87	Iowa City Regency MHP	Administrative Order	WW	Hansen	Letter received 10/92 requesting new schedule.
1-15-88	First Iowa State Bank	Administrative Order	SW	Kennedy	Appealed to Supreme Court.
2-05-88	Warren County Brenton Bank	Administrative Order	UT	Wornson	One of two sites closed-SCR completed on second.
3-01-88	Cloyd Foland	Administrative Order	FP	Clark	District Court dismisses other issues; Foland appeals to Supreme Court.
10-20-88	Worth Co. Co-Op Oil Northwood Cooperative Elevator Sunray Refining and Marketing Co.	Administrative Order	HC	Murphy	Ruling on dismissal/intervention 8/28/92. Appealed to EPC 9/92. Appeal hearing set for 11/16/92.
1-25-89	Amoco Oil Co. - Des Moines 7LTY03	Administrative Order	UT	Wornson	Settlement proposed. Clean-up progressing.
5-01-89	Amoco Oil Co. - West Des Moines	Administrative Order	UT	Wornson	Compliance initiated.
6-08-89	Shaver Road Investments	Site Registry	HW	Landa	Hearing continued. Discovery initiated.
6-08-89	Hawkeye Rubber Mfg. Co.	Site Registry	HW	Landa	Hearing continued. Discovery initiated.
6-08-89	Lehigh Portland Cement Co.	Site Registry	HW	Murphy	Hearing continued. Discovery initiated.
6-12-89	Amana	Site Registry	HC	Landa	Negotiating before filing.
6-22-89	Chicago & Northwestern Transportation Co. Hawkeye Land Co. Blue Chip Enterprises	Administrative Order	HC	Landa	Petition for judicial review of agency action.
10-24-89	Farmers Cooperative Elevator Association of Sheldon	Site Registry	HC	Landa	Negotiation proceeding.

DEPARTMENT OF NATURAL RESOURCES
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 CONTESTED CASES
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DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
10-24-89	Consumers Cooperative Assoc.	Site Registry	HC	Landa	Negotiation proceeding.
11-03-89	Bridgestone/Firestone, Inc.	Site Registry	HC	Landa	Hearing continued pending negotiations.
11-20-89	FFCA/IIP	Site Registry	HC	Murphy	Considering dismissal.
12-11-89	Leo Schachtner	Permit Issuance	FP	Clark	Proposed decision 5/14/92. Appealed.
4-23-90	Sioux City, City of	Administrative Order	WW	Hansen	Informal meeting held on 5/18/90.
5-08-90	Texaco Inc./Chemplex Co. Site	Site Registry	HW	Landa	Settlement proposed.
5-14-90	Van Dusen Airport Services	Administrative Order	HC	Landa	Compliance initiated.
5-14-90	Alter Trading Corp. (Council Bluffs)	Administrative Order	SW	Kennedy	Negotiating before filing.
5-15-90	Des Moines, City of	Administrative Order	HC	Landa	Hearing continued. Settlement proposed.
6-20-90	Des Moines, City of	NPDES Permit Cond.	WW	Hansen	City response reviewed by EPD.
6-26-90	Maple Crest Motel and Mobile Home Park	Administrative Order	WS	Hansen	Negotiating settlement/letter sent 7/31/92.
7-02-90	Keokuk Savings Bank and Trust Keokuk Coal Gas Site	Site Registry	HW	Landa	Hearing continued.
7-11-90	Chicago & Northwestern Co.; Steve L. Carroll; Susan E. and Tracy A. Carroll	Administrative Order	NR	Kennedy	New orders issued 12/28/90 rescinding prior orders.
11-20-90		Administrative Order	SW	Kennedy	Settlement pending.
7-23-90	IBP, inc. Perry	Administrative Order NPDES Permit	WW	Hansen	Final amended permit issued 8/14/92.
7-26-90	Plymouth County SW Agency	Administrative Order	SW	Kennedy	Settlement pending.
7-30-90	Key City Coal Gas Site; Murphy Trust & Howard Pixler	Site Registry	HW	Landa	Decision appealed (Pixler). Motion to intervene denied 2/17/91 (Murphy Trust)
8-01-90	J.I. Case Company	Site Registry	HW	Preziosi	Hearing set for 1/29/93.
9-10-90	IBP, inc. Columbus Junction	Administrative Order NPDES Permit	WW	Hansen	Appealed to Polk Co. District Court. Judgment for DNR - 10/28/92.
9-12-90	Michael & Joyce Haws; George H. Gronau	Administrative Order	UT	Wornson	Attorney finalizing settlement.
9-20-90	Duane Schwarting	Variance Denial	SW	Kennedy	Hearing continued.
10-15-90	Westside General Store Corp.	Administrative Order	UT	Wornson	Amended AO for SCR.
10-18-90	Harlan Pruess	Claim	HC	Murphy	Hearing held 10/01/92. Briefs due 11/18/92.
11-15-90	Springwood Enterprises, Inc.	Water Use Permit	WR	Clark	Hearing continued.
12-04-90	United States Gypsum Company	Administrative Order	SW	Kennedy	Negotiating before filing.
12-21-90	Des Moines, City of	Administrative Order	UT	Wornson	Settlement proposed.
12-27-90	McAtee Tire Service, Inc.	Administrative Order	SW	Kennedy	Hearing continued.
1-07-91	Joe E. Eggers, Jr.; Joe and Mary Eggers	Administrative Order	SW	Kennedy	Negotiating before filing.
1-09-91	Iowa Southern Utilities	Administrative Order	HC	Preziosi	Hearing continued to 2/09/93.

DEPARTMENT OF NATURAL RESOURCES
 ENVIRONMENTAL PROTECTION COMMISSION
 CONTESTED CASES
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DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
1-28-91	McDowell Dam #1 & #2	Administrative Order	FP	Clark	Negotiating before filing.
3-08-91	ADM - Cedar Rapids	Conditional Permit	AQ	Preziosi	Hearings begun.
3-22-91	Mitchell Bros. Boars and Gills	Administrative Order	WW	Murphy	Negotiating before filing.
5-09-91	Oskaloosa Food Products Corp.	Administrative Order	WW	Hansen	Letter sent 9/4/92 regarding resolution of appeal.
5-16-91	Oskaloosa, City of	Administrative Order	WW	Hansen	Letter sent 9/4/92 regarding resolution of appeal.
5-20-91	Great Rivers Coop--Lockridge	Site Registry	HC	Murphy	Settlement proposed.
7-15-91	Des Moines Independent School District - North High School	Site Registry	HC	Murphy	Hearing continued.
7-22-91	Rupp Tire	Administrative Order	UT	Wornson	Hearing set for 12/4/92.
7-24-91	Alter Trading Corp. (Davenport)	Administrative Order	SW	Kennedy	Negotiating before filing.
7-27-91	Chicago North Western; Dennis Bell; Phillips Petroleum; Amoco Oil Co.	Administrative Order	HC	Murphy	Hearing continued. Compliance initiated.
8-29-91	Iowa Southern Utilities	Certificate to Construct	AQ	Preziosi	Written testimony filed.
9-04-91	Duane Arnold Energy Center	Permit Condition	WW	Hansen	Information received 3/16/92; under review by EPD.
9-16-91	Mononoe Co. SLF Agency	Administrative Order	SW	Kennedy	Consent order 9/15/92.
9-25-91	Archer Daniels Midland	Administrative Order	SW	Kennedy	Negotiating before filing.
9-27-91	Battle Creek, City of	Administrative Order	WS	Hansen	WS section comment letter sent 6/16/92.
10-02-91	IBP, inc. - Storm Lake	Permit Conditions	WW	Hansen	Negotiating before filing.
10-30-91	West Liberty, City of	Permit Conditions	WW	Hansen	Negotiating before filing; under review by EPD.
11-07-91	Casey's General Store (Redfield)	Administrative Order	UT	Wornson	Hearing set for 11/17/92.
11-14-91	Ossian, Inc.	Permit Denial	AQ	Preziosi	Settled.
12-03-91	State Central Bank	Administrative Order	UT	Wornson	Settlement agreed upon; final letter sent.
12-05-91	Tower Club	Administrative Order	WS	Hansen	Report submitted to EPD/under review by WS.
12-31-91	Linden Water Supply	Administrative Order	WS	Hansen	Dept. letter to City attorney - 9/08/92. City Attorney response to Dept. - 10/16/92.
1-07-92	Wiota, City of	Administrative Order	WS	Hansen	Preliminary engineering report under review by WS.
1-17-92	Hickory Hollow Water Co.	Administrative Order	WS	Hansen	Ltr. received 7/28/92 regarding compliance.
1-21-92	Dell Oil, Ltd.	Administrative Order	HC	Wornson	Proposed decision - 9/30/92. Appeal filed.
1-27-92	Heartland Lysine, Inc.	Tax Certification Denial	WW	Murphy	Settled..
1-30-92	Center Oil Co., Inc.	Administrative Order	HC	Murphy	Negotiating before filing.
2-14-92	Ossian Chemical, Inc.	Administrative Order	AQ	Preziosi	Settlement close.
2-25-92	Nordstrom Oil Co.	Administrative Order	HC	Murphy	Negotiating before filing.
2-28-92	William H. Viner	Administrative Order	UT	Wornson	Hearing set for 11/9/92.
3-12-92	Farmers Cooperative Elevator - Martelle	Administrative Order	HC	Murphy	Negotiating before filing.

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CONTESTED CASES
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DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
3-23-92	Partners-Four Investments-Rockwell	Administrative Order	UT	Wornson	Negotiating before filing-penalty only.
3-23-92	Partners-Four Investments-Marble Rock	Administrative Order	UT	Wornson	Negotiating before filing-penalty only.
3-30-92	White Consolidated Industries	Administrative Order	WW	Hansen	Negotiating before filing.
4-03-92	Charles P. Schafer; Stringtown Properties; First Community National Bank	Administrative Order	UT	Wornson	Scheduling hearing.
4-06-92	Community Cooperative Oil Co. - Marcus	Administrative Order	UT	Wornson	Site check complete; negotiating penalty.
4-07-92	Humboldt Co. Sanitary Landfill	Administrative Order	SW	Kennedy	Hearing continued to 11/20/92.
4-09-92	Wayne Transports, Inc.	Administrative Order	WW	Murphy	Negotiating before filing.
4-13-92	Stringtown Country Cafe	Administrative Order	WS	Hansen	Emergency AO issued supplementing 2nd Emergency AO
4-14-92	Clement Auto & Truck, Inc.	Administrative Order	UT	Wornson	Closure complete. Negotiating penalty.
4-17-92	John M. Staub d/b/a Mr. Convenient	Administrative Order	UT	Wornson	Scheduling hearing.
4-24-92	Charles A. Kerr	Administrative Order	UT	Wornson	Financial inability claimed. Requesting document.
4-30-92	Poweshiek Water Assoc.	Administrative Order	WS	Hansen	Negotiating before filing.
5-05-92	Lincoln Farm & Home Service	Administrative Order	WW	Murphy	Negotiating before filing.
5-05-92	Plymouth Cooperative Oil Co.	Administrative Order	WW	Murphy	Negotiating before filing.
5-12-92	Paris & Sons, Inc.	Site Registry	HC	Murphy	Negotiating before filing.
5-15-92	Heartland Lysine, Inc.	Tax Certification	AQ	Preziosi	Negotiating before filing.
5-27-92	Beckett Chevrolet-Olds	Administrative Order	UT	Wornson	Financial inability claimed. Request documents.
6-05-92	Wilson Foods	Permit Denial	AQ	Preziosi	Negotiating before filing.
6-10-92	Marjorie Jarvis	Administrative Order	UT	Wornson	Sent to DIA.
6-15-92	Country Estates MHP	Administrative Order	WS	Clark	Negotiating before filing.
6-15-92	Rockford Golf & Country Club	Administrative Order	WS	Clark	Negotiating before filing.
6-23-92	Chickasaw County Board of Supervisors, Chickasaw Co. SLF	Administrative Order	SW	Kennedy	Negotiating before filing.
6-24-92	Karl Ludwig; Jena, Inc.; Molo Oil Co.; TFM Co.	Administrative Order	UT	Wornson	Sent to DIA.
6-26-92	Waste Systems Corp. and Robert Roth d/b/a Winnebago County Sanitary Landfill	Administrative Order	SW	Kennedy	Negotiating before filing.
7-01-92	Richard A. Newman	Administrative Order	SW	Kennedy	Negotiating before filing.
7-01-92	Des Moines Independent School District-North High	Administrative Order	WW	Murphy	Negotiating before filing.
7-15-92	Gerks Seasonal MHP and Resort	Administrative Order	WS	Hansen	DNR letter sent 9/9/92.

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 CONTESTED CASES
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DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
7-17-92	PAM Fuels, Inc.	Administrative Order	UT	Wornson	Settlement proposal sent.
7-24-92	LaVerne Rehder	Administrative Order	UT	Wornson	Compliance with closure; negotiating penalty.
8-06-92	Randy Bonin and Vickie Brannick	Administrative Order	SW	Kennedy	Negotiating before filing.
8-13-92	Ida County Sanitary Landfill	Administrative Order	SW	Kennedy	Negotiating before filing.
8-13-92	Iowa Conference of the United Church of Christ	Administrative Order	FP	Clark	Negotiating before filing.
8-24-92	Dean Hoeness d/b/a Hoeness & Sons	Administrative Order	UT	Wornson	Financial inability claimed. Request documents.
8-27-92	Decatur City, City of	Administrative Order	UT	Wornson	Negotiating before filing.
8-31-92	Leisure Lake Inn	Administrative Order	WS	Hansen	DNR letter sent 10/13/92.
8-31-92	Cedar Valley Corp.	Administrative Order	AQ	Preziosi	Negotiating before filing.
9-02-92	South High Point Well Assn. #1	Administrative Order	WS	Hansen	Negotiating before filing. Letter sent 10/14/92.
9-03-92	Case Power and Equipment	Administrative Order	WS	Hansen	Letter from Case's attorney dated 10/16/92. DNR response - 10/22/92.
9-14-92	Pony Creek Park - Mills County Conservation Board	Administrative Order	WS	Hansen	Amended AQ issued 10/15/92. Appeal resolved..
9-14-92	Lisbon, City of	Administrative Order	WS	Clark	Negotiating before filing.
9-21-92	Buffalo Bill Estates, Inc.	Administrative Order	WS	Clark	Negotiating before filing.
9-21-92	ITWC	Administrative Order	AQ	Preziosi	Negotiating before filing.
9-22-92	King's Terrace MHP	Administrative Order	WW	Murphy	Negotiating before filing.
9-28-92	Don Ferkel	Administrative Order	AQ	Preziosi	Negotiating before filing.
10-06-92	Lloyd Decker	Administrative Order	SW	Kennedy	New case.
10-07-92	E. Kent and Joan Cooper	Administrative Order	UT	Wornson	Sent to DIA.
10-12-92	Sioiux City Brick & Tile Co.	Administrative Order	WW	Hansen	Informal meeting set for 11/16/92.
10-12-92	Eldon Krambeck	Administrative Order	AQ	Preziosi	New case.
10-16-92	Country Mobile Home Court	Administrative Order	WS	Hansen	DNR letter sent 10/22/92.
10-16-92	Ron Jungling d/b/a Jungling Service	Administrative Order	UT	Wornson	New case.
10-16-92	Ames, City of; Cy-Ride	Permit Denial	AQ	Preziosi	New case.

Discussion took place regarding a variety of items on the various reports.

William Ehm asked if the staff are familiar with a report DALS recently published regarding the amount of money provided for clean up of some ag-pesticides and how much of it went for consultant fees. Commissioner Ehm further questioned whether DNR has the same type of information for tank cleanup costs.

Mr. Stokes stated that the UST Board has those types of statistics and the information could be provided at the December meeting.

Chairperson Hartsuck asked about the Ames Golf & Country Club case which was referred 14 months ago and no action has been indicated on the referral report.

Mr. Murphy stated that a consent decree was recently drafted to resolve that matter. Also, they did cease the discharge and have built a new waste control system.

Margaret PrahI asked that the Commission be presented a report next month on the status of all cases where referral occurred more than six months ago and suit has not been filed.

Mr. Stokes stated that staff will ask Kathleen Diehl of the Attorney General's Office to give a progress report on cases handled by the "E-Team."

INFORMATIONAL ONLY

305(b) STATE WATER QUALITY REPORT

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

Section 305(b) of the federal Water Pollution Control Act (commonly known as the Clean Water Act) requires that states biennially prepare a report which describes the status of water quality in their respective states and the extent to which state waters meet the "fishable/swimmable" goals of the Act. These biennial reports, known as Section 305(b) reports, are transmitted to the U.S. Environmental Protection Agency which then combines the states' reports into a national water quality report for submission to Congress.

The Department has recently completed preparation of the 305(b) report for the 90/91 biennium. Copies will be available for distribution at the Commission meeting. The 90/91 report is the ninth report prepared since 1975 for the State of Iowa.

The 305(b) report consists of two volumes. The main report, "Water Quality in Iowa During 1990 and 1991" summarizes the results of water body assessments conducted during the biennium and contains information on groundwater quality and water pollution control programs. The second volume, "Assessment Results" contains detailed assessment information for individual water bodies.

(A copy of the report is on file in the department's Records Center)

Mr. Stokes stated that the Clean Water Act requires the state to assess, every two years, how they are meeting requirements of the Act in regards to fishable/swimmable waters. He displayed charts showing the percent of waters assessed as meeting designated uses. Mr. Stokes related that staff assessed 9,982 miles of the state's 82,000 miles of streams and rivers, 26,000 acres of the 36,000 acres of wetlands, all four reservoirs, and 245 of the 260 lakes in the state. Mr. Stokes also displayed charts showing causes of impacts on these waters as well as sources of the impacts and gave a detailed explanation of the data.

Nancylee Siebenmann commented that she would like to see the word get out that Iowa is on the leading edge in compliance in this area.

Mr. Stokes pointed out that the report indicates there were no places in Iowa where fishing was banned and there were no beach closings. There were three consumption advisories on fishing. The report indicated 19 fishkills as a result of pollution events.

William Ehm asked that the Commission be provided copies of the charts which were displayed on the overhead projector.

Discussion followed regarding point source pollution.

INFORMATIONAL ONLY

INTENDED USE PLAN - STATE REVOLVING FUND

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

A draft Intended Use Plan (IUP) for the fiscal year (FY) 1993 State Revolving Fund will be distributed to Commissioners for information. It will be based on anticipated federal allotments to the State, loan applications received to date and current rules for the program. It is expected that the IUP, which contains the list of projects proposed for loan assistance in FY 93, will be in final proposed form so that hearing authorization can be requested in December. The IUP along with required opportunity for public input is part of the state's application for the federal capitalization plan.

The state bond sale and the federal grant for the FY 92 program were finalized in July and the department is in the process of approving loans for the FY 92 cities. The interest rate for the FY 92 loans is 4.37%.

(A copy of the draft report is on file in the department's Records Center)

Mr. Stokes stated that Iowa's allotment is a little over \$26 million and only \$14 million of that has been used. The balance will carry forward to FY 1994. He noted that 12 projects are proposed for loans.

INFORMATIONAL ONLY

LETTER TO IOWA NEWSPAPER ASSOCIATION

Chairperson Hartsuck reviewed that at the October Commission meeting the Commission decided to send a letter to the Iowa Newspaper Association regarding the legislative proposal on usage of recycled newsprint. He asked Nancy Lee Siebenmann to read the letter to the Commission.

The letter stated that the Commission is encouraging the newspaper industry to achieve major accomplishments toward their goals within the next year. It also related that the Commission is provisional in withdrawing this legislative proposal and will anticipate the newspaper industry's cooperative effort in achieving a substantial gain in environmental progress throughout Iowa in 1993.

Consensus of the Commission was to send the letter as prepared.

FINAL RULE--CHAPTER 82, WELL CONTRACTOR CERTIFICATION

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission is requested to approve Chapter 82 that sets up a certification program for well contractors. The Department was charged with the responsibility of establishing this program in legislation adopted in 1991, 1991 Iowa Acts, Chapter 224 (Iowa Code Supplement section 455B.190A).

The Governor appointed the Well Contractor Council to assist in the preparation of the program. The Council has been active in getting the draft rules reviewed and making suggestion to improve the rules. The Council discussed the comments received and agreed to the recommended changes in the Response Summary. At their meeting on October 28, 1992, the Council gave their approval to the proposed rules and recommended them to the Commission for their approval.

The Department has scheduled test beginning in January, 1993 in order to allow well contractors to become certified before July 1, 1993 as required by the law. It is important to take action on the rules so the certification program can begin as scheduled.

ENVIRONMENTAL PROTECTION COMMISSION [567]

Adopted and Filed

Pursuant to the authority of Iowa Code section 455B.105, the Environmental Protection Commission hereby adopts Chapter 82, "Well Contractor Certification," Iowa Administrative Code.

The new chapter is designed to implement 1991 Iowa Acts, Chapter 224 [Iowa Code Supplement section 455B.190A], which requires the Department to establish a well contractor certification program. This legislation requires that the current well contractor registration program (567 - Chapter 37) be replaced with the new certification program on July 1, 1993. The Commission intends to pursue a separate rule making procedure to rescind Chapter 37, and to make other modifications necessary to accomplish this program replacement, at a time closer to July 1, 1993. However, this rule making proceeding is necessary at this time to provide well contractors with the opportunity to become certified by July 1, 1993.

Notice of Intended Action was published in the Iowa Administrative Bulletin on September 16, 1992, as ARC 3349A.

Substantive changes from the Notice of Intended Action are as follows:

In rule 82.1(455B), a definition is added for "pump services" and the definition for "classification" is modified to include provisional pump installers.

Subrules 82.2(1), 82.2(3), 82.2(4), and 82.10(5), and paragraph 82.3(3)"c," are modified to include pump services.

Subrules 82.2(2), 82.3(1), 82.3(3), and 82.3(4) are altered to include provisional pump installers.

Subrule 82.6(2) is expanded to provide that educational requirements apply to new applicants only.

A sentence is added to subrule 82.7(3), which expresses the purpose of the penalty fee.

Subrule 82.7(4) is expanded to provide that the certification renewal fee is for a two-year period.

A statutory reference is added to paragraph 82.13(1)"g" to provide a definition of "hazardous condition."

These rules will become effective on January 13, 1993.

These rules are intended to implement Iowa Code section 455B.187 and Iowa Code Supplement section 455B.190A.

The following chapter is adopted:

CHAPTER 82 WELL CONTRACTOR CERTIFICATION

567 -82.1(455B) Definitions. In addition to the definitions in Iowa Code sections 455B.171 and 455B.190 and Iowa Code Supplement section 455B.190A, which are hereby adopted by reference, the following definitions shall apply to this chapter:

"Classification" means one of four levels of well contractor certification, designated as either well contractor, pump installer, provisional certified well contractor or provisional pump installer. All four are referred to as certified well contractor in the following rules unless specifically identified otherwise.

"Continuing education unit (CEU)" means ten contact hours of participation in an organized education experience under responsible sponsorship, capable direction, and qualified instruction.

"Direct charge" means the certified well contractor at the well site responsible for assuring that the well services are performed as required in 567 - Chapters 38, 39, 43, 49 and 110.

"Pump services" means the installation, repair or maintenance of water well pumps.

"Water well" means any excavation that is drilled, cored, bored, augured, washed, driven, dug, jetted, or other wise constructed for the purpose of exploring for groundwater, monitoring groundwater, utilizing the geothermal properties of the ground, or extracting water from or injecting water into the aquifer. "Water well" does not include an open ditch, or drain tiles or an excavation made for obtaining or prospecting for oil, natural gas, minerals, or products mined or quarried.

"Well services" means new well construction, well reconstruction, installation of pitless equipment, or well plugging.

567-82.2(455B) General.

82.2(1) Any well services or pump services provided on or after July 1, 1993 shall be performed by a well contractor who has been certified by the department pursuant to this chapter.

82.2(2) Certified well contractors certified as well contractors or provisional certified well contractors are limited to providing well services. Certified well contractors certified as pump installers or provisional pump installers are limited to providing pump services and well plugging. To provide both well services and pump services, a certified well contractor shall be certified as a well contractor or provisional certified well contractor, and a pump installer or provisional pump installer.

82.2(3) A certified well contractor shall be present at the well site and in direct charge of the well services or pump services being performed or provided.

82.2(4) Any person who is responsible for providing well services or pump services shall be certified.

82.2(5) A certified well contractor currently certified, may obtain a duplicate certificate upon payment of the same fee as required for renewal of a certificate.

82.2(6) RESERVED

82.2(7) RESERVED

82.2(8) Any certified well contractor who possesses a certificate must report to the department a change in address within 30 days after the change.

82.2(9) RESERVED

567- 82.3(455B) Classification of well contractors.

82.3(1) Classifications. There shall be four classifications of certified well contractors.

1. well contractor;
2. provisional certified well contractor;
3. pump installer; and
4. provisional pump installer.

82.3(2) A certified well contractor has met all of the education and experience requirements, has successfully completed the well contractor certification test and has been issued a certificate by the department.

82.3(3) A provisional certified well contractor or provisional pump installer does not meet all the education or experience requirements for a certified well contractor but does meet the following requirements:

a. Signs a statement on the application form that there is a shortage of certified well contractors in the geographical area of the state in which they desire to operate;

b. Completes and submits an application documenting at least one year of work experience in well services or pump services performed under the direct supervision of a certified well contractor;

c. The application includes a signature of a certified well contractor who employs the applicant for provisional certification. By signing the application the certified well contractor certifies to be jointly liable for violations of the rules regarding well services or pump services by the provisionally certified well contractor or provisional pump installer and that the violation is grounds for suspension or revocation of the certification of the certified well contractor and the provisionally certified well contractor or provisional pump installer; and

d. Successfully completes the examination.

82.3(3) The provisional certified well contractor or provisional pump installer shall become a certified well contractor after the submission of an application and appropriate fees to the department showing all requirements for certification have been met. The certificate for a provisional certified well contractor or provisional pump installer will be

issued for one year. The department will issue a well contractor or pump installer certificate after the one year period and receipt of appropriate fees.

567- 82.4(455B) RESERVED

567 -82.5(455B) RESERVED

567- 82.6(455B) Education and experience requirements.

82.6(1) All applicants shall meet the education and experience requirements as shown below.

CLASSIFICATION	EXPERIENCE	EDUCATION
WELL CONTRACTOR	TWO YEARS	HIGH SCHOOL OR GED
PUMP INSTALLER	TWO YEARS	HIGH SCHOOL OR GED
PROVISIONAL CERTIFIED WELL CONTRACTOR	ONE YEAR	HIGH SCHOOL OR GED
PROVISIONAL PUMP INSTALLER	ONE YEAR	HIGH SCHOOL OR GED

82.6(2) The education requirements become effective on July 1, 1998. After July 1, 1998, the educational requirements will only apply to new applicants.

567-82.7(455B) Fees.

82.7(1) The examination fee for each examination shall be \$50.

82.7(2) The initial certification fee shall be \$75 for each one-half year or partial one-half year from the date of issuance to June 30, 1996. After July 1, 1996 the initial certification fee shall be \$75 for each one-half year of a two-year period from the date of issuance to June 30 of even-numbered years.

82.7(3) The penalty fee shall be \$100. The penalty fee is for late payment of the initial certification fee or renewal fee.

82.7(4) The certification renewal fee shall be \$100 for the two-year period.

567-82.8(455B) Examinations.

82.8(1) All persons wishing to take the examination required to become a certified water well contractor shall complete the "Water Well Contractor Certification Examination

Application," Form 43970. A listing of dates and locations of examinations is available from the department upon request. The application form requires the applicant to indicate educational background, training and past experience in providing well services. The completed application and the application fee shall be sent to the director and addressed to the department in Des Moines. Application for examination must be received by the department at least 30 days prior to the date of examination.

82.8(2) The director shall designate department personnel to evaluate all applications for examination, certification and renewal of certification. The director will review applications when it is indicated the applicant has falsified information or when questions arise concerning an applicant's qualifications of eligibility for examination or certification.

82.8(3) A properly completed application for examination will be valid for one year from the date the application is approved by the department.

82.8(4) An applicant who does not qualify for examination at the time of application will have the examination fee refunded if the applicant cannot qualify for examination within one year. If the applicant will qualify for a scheduled examination within one year the applicant will be notified when the examination may be taken and the fee will not be refunded.

82.8(5) Upon failure of the first examination, the applicant may be reexamined at the next two scheduled examinations. Upon failure of the third examination, the applicant shall be required to wait a period of 90 days between each subsequent examination.

82.8(6) Upon each reexamination when a valid application is on file, the applicant shall submit to the department the examination fee at least ten days prior to the date of examination.

82.8(7) Failure to successfully complete the examination within one year from the date of approval of the application shall invalidate the application.

82.8(8) Completed examinations will be retained by the director for a period of one year after which they will be destroyed.

82.8(9) Oral examinations.

a. Upon written request by an applicant for certification, the director will consider the presentation of an oral examination on an individual basis when: the applicant has failed the written examination at least three times; the applicant has shown difficulty in reading or understanding written questions but may be able to respond in oral questioning; the applicant is capable of communicating in writing with regard to departmental requirements and inquiries; and the director has received a written recommendation for an oral examination from a department staff member attesting to the operational and performance

capabilities of the applicant. The director shall designate department personnel to administer the examination.

b. The exam shall contain practical questions pertaining to groundwater law, well construction, well maintenance, and well abandonment.

567-82.9(455B) Certification.

82.9(1) All applicants for certification shall successfully complete and pass an examination prior to receiving certification.

82.9(2) Application for certification must be received by the department within 30 days of the date the applicant receives notification of successful completion of the examination. All applications for certification shall be made on a form provided by the department and shall be accompanied by the certification fee.

82.9(3) Applications for certification by examination which are received more than 30 days but less than 60 days after notification of successful completion of the examination shall be accompanied by the certification fee and the penalty fee. Applicants who do not apply for certification within 60 days' notice of successful completion of the examination will not be certified on the basis of that examination.

82.9(4) Applicants may appeal a denial of certification pursuant to Chapter 7.

567-82.10(455B) Renewals.

82.10(1) Renewal period. All certificates shall expire on June 30 of even-numbered years and must be renewed every two years in order to maintain certification. However the first certification period shall be for three years starting July 1, 1993 and ending June 30, 1996.

82.10(2) Application for renewal will be mailed to all certified well contractors two months prior to the expiration date of their certificates. Application for renewal must be made in accordance with this rule and the instructions on the form in order to renew the certificate for the next two years. Application for renewal of a certificate without penalty must be received by the director or postmarked prior to the expiration of the certificate, and shall be accompanied by the certification renewal fee.

82.10(3) Late application for renewal of a certificate may be made provided that such late application shall be received by the director or postmarked within 30 days of the expiration of the certificate, on forms provided by the department. Such late application shall be accompanied by the penalty fee and the certification renewal fee.

82.10(4) If a certificate holder fails to renew within 30 days following expiration of the certificate, the right to renew the certificate automatically terminates. Certification may be

allowed at any time following such termination, provided that the applicant successfully completes an examination. The applicant must then apply for certification in accordance with 82.9(455B).

82.10(5) A certified well contractor may not continue to provide well services or pump services after expiration of a certificate without renewal thereof.

82.10(6) Continuing education must be earned during July 1, 1993 through March 31, 1996 for the initial certification period and must be earned during two year periods beginning on April 1, 1996 and ending March 31 of even number years thereafter. A certified well contractor must earn two units or twenty contact hours during each two-year period. Newly certified well contractors (previously uncertified) who became certified after April 1 of a two-year period will not be required to earn CEU's until the next two-year period.

82.10(7) Beginning July 1, 1994, and in succeeding even-numbered years, only those certified well contractors fulfilling the continuing education requirements before the end of each two-year period (March 31) will be allowed to renew their certificate. The certificate of certified well contractors not fulfilling the continuing education requirements shall expire on June 30 of the applicable biennium.

82.10(8) All activities for which continuing education credit will be granted must be approved by the department, college or university and shall be related to well services, pump services, relevant aspects of Iowa groundwater law, well construction, well maintenance, and well abandonment practices which protect groundwater and water supplies.

82.10(9) The director may, in individual cases involving hardship or extenuating circumstances, grant an extension of time of up to three months within which to fulfill the minimum continuing education requirements. Hardship or extenuating circumstances include documented health-related confinement or other circumstances beyond the control of the certified well contractor which prevent attendance at the required activities. All requests for extensions must be made prior to March 31 of each biennium.

82.10(10) It is the certified well contractor's responsibility to notify the department of the continuing education credit earned during the period. The continuing education credits earned during the period shall be shown on the application for renewal.

82.10(11) A certified well contractor shall be deemed to have complied with the continuing education requirements of this rule during periods that the certified well contractor serves honorably on active duty in the military services, or for periods that the certified well contractor is a resident of another state or district having a continuing education requirement for certified well contractors and meets all the requirements of that state or district for practice there, or for periods that the person is a government employee working as a well contractor and assigned to duty outside of the United States, or for other periods of active practice and absence from the state approved by the director.

567-82.12(455B) Certified Well Contractor Obligations

82.12(1)Submission of records and samples. Each certified well contractor shall submit drilling records and drill cutting samples to the Geological Survey Bureau, Department of Natural Resources, Oakdale Campus, University of Iowa, Iowa City, Iowa 52242 (319)335-1575 as follows:

a. Within 30 days of completion of any water well used as part of a public water supply, well used for withdrawal of water for which a permit is required by rule 50.1(455B) or wells used to monitor groundwater quantity or quality required by the department if so directed by the Geological Survey Bureau, Department of Natural Resources. The certified well contractor must submit the drilling records and samples required by subrule 82.12(2) and (3).

b. Within 30 days of the completion of any water well used as part of a nonpublic water supply or other water wells used to access groundwater.

c. Prior to constructing a water well to be used as part of a nonpublic water supply or other water well used to access groundwater, the certified well contractor must contact the local health department in the county in which the water well is to be located to determine if submittal of drill cutting samples is required.

82.12(2)Drilling Records and Samples. Drilling records and drilling cutting samples must be submitted in the water well driller's notebook and drill cutting sample bags provided by the Geological Survey Bureau, Department of Natural Resources.

82.12(3) Water well log. The water well driller's log shall include the following:

a. Location and legal description (quarter section, section number, township, range and county).

b. Reference point for all depth measurements.

c. Depth at which each significant change of formation occurs.

d. Depth at which pump is set, the nonpumping and pumping water levels in the well measured from the land surface and the rate and duration the well was pumped.

e. Identification of the material of which each significant stratum is composed.

f. Depth at which hole diameters (bit sizes) change.

g. Normal hole diameter of the well bore.

h. Total depth of the completed hole.

i. Depth or location of any lost drilling fluids, drilling materials, or tools.

j. Casing depth, grouting schedule including materials used and method of placement, description of the well casing and liner pipe.

k. Description of well screens including diameter, length, material slot sizes, amount of open area, and location in well.

l. Description of physical and chemical well development activities.

82.12(4) Cutting samples. Drilling cutting samples shall be collected at intervals of five feet and at each pronounced change in geological formation.

82.12(5) Test pumping. Certified well contractors shall provide the requested test pumping data for water wells used as part of a public water supply pursuant to subrule 41.12(2) and for water wells utilized as part of a regulated water use pursuant to subrule 50.6(1).

567- 82.13(455B) Discipline of certified well contractors.

82.13(1) Disciplinary action may be taken against a certified well contractor on any of the grounds specified in 1991 Iowa Code Supplement section 455B.190A, and the following more specific grounds. Iowa Code section 455B.109 authorizes the assessment of administrative penalties for violations of Iowa Code Chapter 455B or rules, permits and orders promulgated or issued pursuant to 455B. The department will follow 567 - Chapter 10 for assessing such penalties.

a. knowingly making any false statement, representation, or certification on any application, record, report or document required to be maintained or submitted under any applicable permit or rule of the department.

b. failure to renew certification.

c. failure to obtain required continuing education units.

d. failure to submit required records or other reports required under applicable permits or rules of the department; including failure to submit complete records or reports.

e. failure to use reasonable care or judgement or to apply knowledge or ability in performing the duties of a certified well contractor.

f. violation of well construction standards or other requirements contained in 567 - Chapters 38, 39, 43, 49, and 110.

g. failure to advise a person for whom a water well is being drilled or pump installed that a hazardous or potentially hazardous condition, as defined in Iowa Code section 455B.381(2), has been encountered.

h. knowingly causing or allowing a hazardous or potentially hazardous condition due to well construction or pump installation to exist.

82.13(2) Disciplinary sanctions allowable are:

a. Revocation of a certificate.

b. Revocation or suspension of the practice of a particular aspect of the contractors responsibility.

c. Probation under specified conditions relevant to the specific grounds for disciplinary action. Additional education or training, or reexamination may be required as a condition of probation.

82.13(3) Procedure.

a. The director shall initiate disciplinary action. The commission may direct that the director investigate any alleged factual situation that may be grounds for disciplinary action under 82.13(1), and report the results of the investigation to the commission.

b. A disciplinary action may be prosecuted by the director.

c. Written notice by certified mail shall be given to a certified well contractor against whom disciplinary action is being considered, at least 20 days in advance, that an informal hearing before the commission at a specific date, time and place has been scheduled for the certified well contractor, at which the commission will determine whether a formal hearing is warranted or whether informal resolution can be reached. The certified well contractor may present any relevant facts and indicate the certified well contractor's position in the matter.

d. A certified well contractor who receives notice of informal hearing shall communicate verbally or in writing or in person with the director and efforts shall be made to clarify the respective positions of the certified well contractor and director. The staff may then come with a recommendation to the commission at the informal hearing concerning disciplinary sanction.

e. Failure to attend the informal hearing or otherwise communicate facts and position relevant to the matter by the scheduled date will be considered by the commission when determining whether a formal hearing is warranted.

f. If agreement as to appropriate disciplinary sanction, if any, can be reached with the certified well contractor and the commission concurs, a written stipulation and settlement between the department and the certified well contractor shall be entered. The stipulation and settlement shall recite the basic facts and violations alleged, any facts brought forth by the certified well contractor and the reasons for the particular sanctions imposed.

g. If the commission determines that no disciplinary action is warranted on the facts asserted, the certified well contractor shall be notified of the decision in writing.

h. If the commission determines that an opportunity for formal hearing is required to impose any disciplinary sanction specified in 82.13(2), the director shall proceed in accordance with chapter 7.

567- 82.14(455B,258A) Revocation of certificates.

Upon revocation of a certificate in accordance with the authority provided in 1991 Iowa Code Supplement section 455B.190A, application for certification may be allowed after two (2) years from the date of revocation. Any such applicant must successfully complete an examination and be certified in the same manner as a new applicant.

These rules are intended to implement Iowa Code section 455B.187 and 1991 Iowa Code Supplement section 455B.190A.

Date

Larry J. Wilson, Director

(A copy of the Public Participation Responsiveness Summary is on file in the department's Records Center)

Mr. Stokes drew the Commission's attention to Page 3 of the rules regarding education and experience requirements. He pointed out that two members of the Administrative Rules Review Committee took exception to the requirement for high school education or GED equivalency to qualify as a certified well contractor. He related that they objected to the requirement for a high school or GED equivalency and did not like delaying the effect of the rule until July 1998. Mr. Stokes noted that the department has not received these objections in writing. Both members

made it clear that if the rules come back to the committee with those requirements remaining in the rules, they will formally object to the rules and refer them to a standing committee of the general assembly. He added that the Well Contractor's Council helped in developing these rules and if these requirements are removed from the rules the Well Contractors Council will probably write to the Rules Review Committee stating their objections. Mr. Stokes noted that staff is asking approval of the rules as presented.

Margaret Prah1 asked what the reason is for objecting to the high shool/GED requirement.

Mr. Stokes responded that staff does not know as there was no reason expressed to the department.

Motion was made by Rozanne King to approve Final Rule--Chapter 82, Well Contractor Certification, as presented. Seconded by Charlotte Mohr. Motion carried unanimously.

APPROVED AS PRESENTED

REFERRALS TO THE ATTORNEY GENERAL

Mike Murphy, Bureau Chief, Legal Services Division, presented the following item.

The Director requests the referral of the following to the Attorney General for appropriate legal action. Litigation reports have been provided to the Commissioners and are confidential pursuant to Iowa Code section 22.7(4). The parties have been informed of this action and may appear to discuss this matter. If the Commission needs to discuss strategy with counsel on any matter where the disclosure of matters discussed would be likely to prejudice or disadvantage its position in litigation, the Commission may go into closed session pursuant to Iowa Code section 21.5(1)(c).

- a. City of Anthon - Wastewater
- b. 63-I80 Cafe/Ron Moore Oil Co. (Malcom) - Drinking Water
- c. Vern Starling (Boone County) - Solid Waste
- d. Shirley Pecoy, d/b/a Joe's Place (Algona) - Tanks

63-I80 Truckstop/Moore Oil Co.

Mr. Murphy briefed the Commission noting that an Administrative Order was issued to this party due to deficiencies in water monitoring at a public water supply. Referral is being sought to collect the \$1,000 penalty. He added that the department has not received proof of public notice which was also required in the Administrative Order.

Rozanne King asked if this case would have fallen under the larger penalty amount.

Mr. Murphy stated it would not have been affected as the rules allowing the larger amount were not amended until several weeks ago.

Motion was made by Margaret Prahl for referral to the Attorney General's Office. Seconded by Rozanne King. Motion carried unanimously.

REFERRED

Vern Starling

Mr. Murphy stated that this case involves a prior Administrative Order, in 1990, which directed cleanup of an open dump area and to cease disposal. This case was previously before the Commission when the Administrative Order was appealed. It was subsequently upheld by the Administrative Law Judge and the Commission, at which time the penalty was reduced. Collection of the penalty has already been referred to the Attorney General. Mr. Murphy noted that the local field office observed additional dumping this past summer and referral is being sought for enforcement of the injunctive aspects of the Order.

Motion was made by Charlotte Mohr for referral to the Attorney General's Office. Seconded by Nancylee Siebenmann. Motion carried unanimously.

REFERRED

Shirley Pecoy d/b/a Joe's Place

Mr. Murphy stated that this case involves removal of two underground storage tanks and failure to complete a closure investigation and submit a closure report. He added that an Administrative Order was issued requiring the investigation and report be completed as well as payment of a \$300 penalty. The department has received no response to the Order.

Motion was made by William Ehm for referral to the Attorney General's Office. Seconded by Margaret Prahl. Motion carried unanimously.

REFERRED

CONTESTED CASE DECISION APPEAL--NORTHWOOD CO-OP

Mike Murphy, Bureau Chief, Legal Services Bureau, presented the following item.

On September 8, 1988, the department issued Administrative Order 88-HC-03 to Amoco Oil Company, Sun Ray DX Oil Company, Worth County Co-op Elevator, and Northwood Co-op

Elevator. That action required the parties to conduct a site investigation and remediation at an alleged contaminated site in Northwood, Iowa. That action was appealed and the matter was continued indefinitely while progress was being made on some aspects of the Order. In 1992, the matter was set for hearing, and various motions were filed in connection with issues of dismissal of three of the parties, extension of time to file appeals, and right to intervene. The Administrative Law Judge issued the attached ruling on August 28, 1992. The ruling dismisses Amoco, Worth County Co-op and Northwood Co-op, and denies their motions to extend time, and grants their motions to intervene in the remaining action between Sun Ray and DNR.

Amoco, Worth, Northwood, and Sun Ray DX have appealed this ruling to the Commission. The Appeals and Briefs of the parties have been distributed to the Commissioners. The parties will be available to argue their respective positions and respond to your questions. You may then affirm the ruling, or modify or reverse it, substituting you own findings of fact and conclusions of law based on your conclusions from your review of the record and legal argument.

Mr. Murphy briefed the Commission on the history of this case stating that after Administrative Order was issued to each of the involved parties in 1988, the case has remained in continued status while the parties were complying with portions of the Order. Since then, the department requested a hearing due to lack of progress in the case. Three of the parties appeals were filed late and issues pertaining to that were raised this summer in a series of motions for extension of time to file an appeal, a response to Motion to Dismiss by the department, and Petitions to Intervene as an alternative basis for allowing the three parties to continue in this proceeding. Mr. Murphy emphasized that three of the parties clearly filed their appeals beyond the 30 day statutory deadline. He related that case law supports prior decisions of the agency and that it was a jurisdictional defect. He stated that motions for extension of time should not be granted. Mr. Murphy added that if intervention is allowed the parties should not be able to challenge the order itself and only present evidence as to the respective parties liability in this case.

Chairperson Hartsuck asked Mr. Murphy to define jurisdictional.

Mr. Murphy stated that jurisdiction is the authority of a court tribunal to hear a case. If jurisdiction is lost, then there is no authority under the law for that tribunal to proceed. The jurisdiction of a court is limited and when the prescribed time periods pass there is no authority for a tribunal to hear a case.

James Pickett - Amoco Oil Company

James Pickett, Amoco Oil Company, addressed the Commission stating that the issue before the Commission is whether Amoco Oil and the other two parties should be given additional time to file their notice of appeals since their original filings, more than four years ago, were late. He noted that the jurisdiction and timeliness questions were only brought out within the last few months. Mr. Pickett stated that the courts and the Administrative Law Judge call for a mandatory directory analysis of the statutory language. He explained how the ALJ could have the discretion to extend the filing deadline. He cited a case which supports the conclusion that the analysis is necessary. Mr. Pickett argued that there is nothing to support the conclusion that the 30-day

filing is jurisdictional. He related that the ALJ concluded that the appeal is only optional with regard to the interested parties. He explained Amoco's analysis of 455B.175(1) noting that it does not use mandatory terms like "will" or "shall" in describing the time period in which to appeal. He related that the term used in this case is the word "may." Additionally, there is no clear and convincing language indicating that this provision is jurisdictional. Mr. Pickett noted that Iowa Administrative Code 561--7.11(2)b grants the ALJ discretion to enlarge time periods under Chapter 7 and also provides the ALJ to hear the merits of this case. He added that the ALJ's analysis was to read out of that provision any application to notices of appeal without any statutory or regulatory language that compels that to be done. He noted that the ALJ choose to ignore the directive in 7.11(2)b and write an exception into that provision that did not exist in the language itself. In conclusion, he asked the Commission to reverse the ALJ decision and require that this matter be heard on its merits.

Brief discussion followed.

Mr. Murphy stated that he thoroughly searched in regards to the mandatory directory distinction and was unable to find a case saying this statute is directory therefore jurisdiction does attach.

Roger Witke - Northwood Co-op Elevator

Roger Witke, Whitfield Law Firm, representing Northwood Co-op Elevator, stated that the question is whether the ALJ or Commission has any power to help Northwood in this case. He related that the ALJ said she could not help, and even if she could, she found that there was not excusable neglect on the part of any of the affected parties. He stated that with respect to jurisdiction, this case is not the same as all others where the deadline for filing notice of appeal has been held that it be held jurisdictional because the DNR's rule has the force of law. He related that when these rules came into effect, 455B.175(1) was already on the books. He added that the clear intent was that the new provisions which would have the force of law would be a variance of that. One of the provisions was that there would be an opportunity for an extension of time with respect to everything covered by Section 561.7 of the Administrative Rules. The reason it is different than some of the other cases the courts have decided is that the DNR has, in effect, enacted a rule with the force of law after the other statute was already on the books, which in effect modified the impact of that statute. He related that enables the ALJ to have greater flexibility in determining deadlines. Mr. Witke stated that he received the case from Northwood Co-op one day after the deadline and he immediately brought it over and filed it. He noted that if he had received it the day before and put it in the mail, the department would not have received it any earlier. He added that the rules providing for the extension of time is meant to meet these types of circumstances. Mr. Witke stated that Northwood Co-op promptly sent the Administrative Order to their insurance company and the insurance company did not get it to him until it was one day past the deadline. He pointed out that there was no neglect on the part of Northwood Co-op. He related that the failure of a third party is not the neglect of the party who sent the notice on for handling. Mr. Witke stated that Northwood does not want to lose the appeal, but if they are denied any relief then they should be allowed to intervene in the hearing to make sure that the evidence presented clearly reflects the fault of other parties.

Ken Monroe - Worth County Co-op Elevator

Ken Monroe, Worth County Co-Op Elevator, addressed the Commission stating that they are in the same situation as Northwood Co-op in that they are insured by the same insurance company and have encountered the same problems. He noted that the Iowa Administrative Code allows for discretion on behalf of the hearing officers to determine whether to extend the deadlines in an appeal. Mr. Monroe stated that Worth County Co-op is also blameless as the insurance carrier had some internal problems with returning the Administrative Order on time.

Brief discussion followed regarding the cited Zick case and similar Job Service cases pertaining to appeal deadlines.

Gene Olson - Sun Refining and Marketing Company

Gene Olson, Sun Refining and Marketing Company, addressed the Commission stating that his company is the only party that timely filed a notice of appeal. He related that if they had known that the other parties had not timely filed their appeals they would have filed appropriate motions some time ago. He noted that the ALJ sustained the DNR's Motion to Dismiss the other parties and was correct in doing so. Mr. Olson cited cases where it clearly states that jurisdiction cannot be conferred by waiver or consent. He related that the other parties are asking that the Commission waive the rules and consent to let them have a hearing, but that flies in the face of the statute and rules that the appeal must be timely filed within 30 days. He noted that the excusable neglect concept only has application after a contested case has been started. He related that the other parties never got to a point that they had a contested case because they did not timely file their notice of appeal. Mr. Olson stated that his company takes exception to the conclusion of the ALJ that even though the parties have been dismissed out on jurisdictional grounds, that they can come back back in and do virtually the same thing by becoming intervenors. He added that all three parties are jointly and severally liable under the Administrative Order. Mr. Olson asked that the dismissed parties not be permitted by indirect means to do what the law directly prohibits. He emphasized that if they do not timely file their notice of appeal they are not entitled to a hearing.

Margaret Pahl asked Mr. Olson how it would affect his client if the other parties are permitted to intervene.

Mr. Olson stated that with three additional parties submitting information rather than one, it will be detrimental with the increased amount of information. He added that those parties are wanting a full hearing and they have lost that right.

Margaret Pahl asked what the legal basis is for intervention.

Mr. Murphy stated that the Nyberg decision held that the court was correct in exercising its discretion to not allow intervention. He added that the effect of the ruling is that as between the department and the three parties they cannot dispute liability. He related that Sun Ray DX and

the department are in litigation over this and somebody, at some point, is going to have to decide how liability can be apportioned unless the parties can agree.

Discussion followed regarding liability of the parties, the jurisdiction issue, and the 30-day appeal deadline.

William Ehm commented that as he read and listened to the issues there was some confusion on some dates but it was clearly written that there was a 30-day deadline for appeals to be made. He added that intervention would give the parties a chance for some input.

Motion was made by William Ehm to affirm the ruling of the Administrative Law Judge. Seconded by Margaret Prahl.

Margaret Prahl commented that she is having more trouble with the intervention aspect than the jurisdictional aspect. She further asked how the Commission would go about receiving legal counsel on this.

Mr. Murphy stated that counsel could come from the Attorney General's Office, although if the case goes up on appeal one arm of that office would be representing the department's interests also. He added that they generally stay out of matters that are in actual litigation.

Discussion followed regarding whether or not to table the issue.

Nancylee Siebenmann stated that she does not see waiting 1-2 months as a big problem.

William Ehm stated that he would not object to tabling the item.

Motion was made by Margaret Prahl to table Commissioner Ehm's motion until the next meeting. Seconded by William Ehm.

Chairperson Hartsuck requested a roll call vote. "Aye" vote was cast by Commissioners Ehm, Prahl, and Siebenmann. "Nay" vote was cast by Commissioners Britt, King, Mohr, and Hartsuck. Motion failed on a vote of 3-Aye to 4-Nay.

Vote on Commissioner Ehm's original motion to affirm the ALJ decision was unanimous.

AFFIRMED ADMINISTRATIVE LAW JUDGE DECISION

REFERRALS TO THE ATTORNEY GENERAL (CONTINUED)

City of Anthon

Mr. Murphy briefed the Commission stating that this case involves violations of a 1991 Administrative Order requiring upgrading of the city's wastewater treatment facility and compliance with their treatment limits. He noted that there were some improvements made to the system but there were a number of violations in December 1991 and also three other months in 1992.

Eldon Rosso

Eldon Rosso, MER Engineering, stated that he is present on behalf of the City of Anthon and is requesting that the Commission not turn this over to the Attorney General for further action. He noted that he would like to make two points as follows: 1) the City of Anthon is continuing to comply with requirements and feel that further action against the city will serve no purpose, and 2) the city felt they were in compliance in meeting the interim discharge limits. He distributed a chronological summary of events and related correspondence pertaining to steps they have taken to comply. Mr. Rosso stated that the city was meeting interim limits and thought they were doing good. He pointed out that they met interim limits until June 1992 and then met final limits after that. He related that DNR was under the impression that the city was to meet final limits before June 1992. Mr. Rosso stated that the city was acting properly and in good faith and they want to continue to meet their limits.

Brief discussion followed.

Mr. Murphy stated that based on the November, 1991 letter from MER Engineering indicating the required improvements had been completed, the department issued a permit with final limits in December 1991.

Motion was made by Margaret Prahl for referral to the Attorney General's Office. Seconded by Nancy Lee Siebenmann. Motion carried unanimously.

REFERRED

GENERAL DISCUSSION

Discussion took place regarding the annual legislative breakfast and it was decided to have it on Wednesday, January 20.

ADDRESS ITEMS FOR NEXT MEETING

Tank cleanup costs and consultant fees

A.G. report on old cases with no action indicated

NEXT MEETING DATES

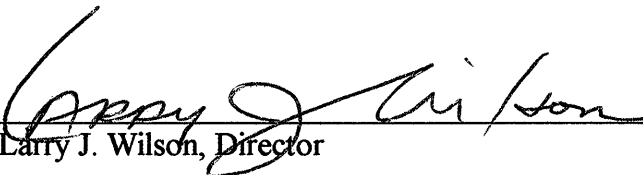
December 21, 1992

January 19, 1993 (Tuesday)

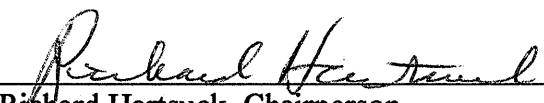
February 15, 1993

ADJOURNMENT

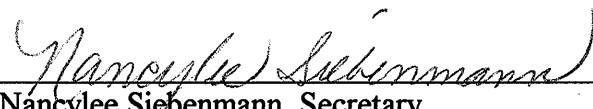
With no further business to come before the Environmental Protection Commission, Chairperson Hartsuck adjourned the meeting at 3:05 p.m., Monday, November 16, 1992.



Larry J. Wilson, Director



Richard Hartsuck, Chairperson



Nancylee Siebenmann, Secretary

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